
FIFTEENTH ANNUAL REPORT
OF
William J. Mullen,
PRISON AGENT,



To the Philadelphia Society for Alleviating the Miseries of
Public Prisons.

Instituted 1787.

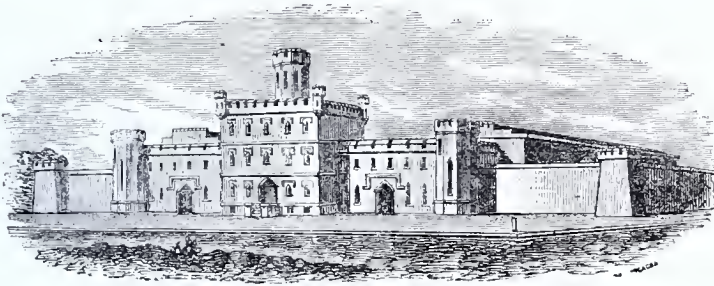
JANUARY 1, 1869.

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FIFTEENTH ANNUAL REPORT
OF
WILLIAM J. MULLEN,
Prison Agent.
January 1st, 1869.

To the "*Philadelphia Society for Alleviating the Miseries of Public Prisons.*"

GENTLEMEN :

The Agent, in accordance with custom, herewith presents his Fifteenth Annual Report for your consideration and approval, with the hope that it may be found satisfactory.

The number of arrests made by the police in our city during the past year, amounts to thirty-six thousand three hundred and thirty-three (36,333), showing a decrease in comparison with last year, of 6,281; and the number of commitments to our County Prison, within the year, was seventeen thousand six hundred and twenty (17,620), showing a decrease in the number of commitments of nine hundred and fifty-five (955) as compared with the previous year.

The Agent, with this large amount of crime and consequent misery before him—followed necessarily by a great proportion of absolute but suffering innocence—made it his constant endeavor to discriminate between the guilty and the innocent, and to ascertain correctly what cases there were that would admit of such relief as it was in the Agent's power to extend appropriately to them. His occupation is at all times laborious and perplexing, requiring the exercise of great judgment and care in the selection and disposition of cases, but he has been often greatly encouraged to persevere by the beneficial and happy results to the poor, friendless prisoners, as well as to their suffering, innocent families. These considerations have stimulated and encouraged the Agent to

renewed zeal in the great and good cause to which he has devoted himself.

Over three thousand seven hundred (3,700) cases have been examined and inquired into, magistrates and other officers of the law have been consulted, together with the prosecutors, and over twelve hundred (1200) letters have been written and mailed on behalf of prisoners, within the last year. Through these exertions the Agent has succeeded in effecting the release from prison of sixteen hundred and three (1603) persons within the year; these were all Court cases, and were not cases that could have been discharged by the Inspectors. Of this number, seven hundred and fifty-three (753) were men, eight hundred and twenty (820) women, and thirty (30) children; these latter, in many instances, were held in confinement with their parents. Included in the above there were thirty (30) insane persons who were cared for, their cases settled, a proper certificate, certifying to their insanity, obtained from the Prison Physician, and they were released and taken to the Insane Asylum. Of the sixteen hundred and three persons who obtained their liberty through the interference of the Agent, there were but sixty-eight (68) who were able to pay anything, and they paid but the sum of one hundred and eighty-two dollars (\$182), or an average of two dollars and sixty-nine cents (\$2 69) each; this sum was given as costs, to magistrates, District Attorney, and other officials.

In the later part of this Report will be found some of the cases attended to, and that have been investigated and settled through the interference of the Agent, so that the reader will be able to judge of the character, and the grades of offence for which they were arrested. The majority of them originated in vindictiveness, malice or intemperance, many arose from thoughtlessness, suit being brought on the impulse of the moment, when a sober, second thought would have deprecated such a course. Many petty, trifling cases were brought to the attention of the Agent which should never have been allowed to exist at all. Parties concerned in these suits seem to be encouraged in them by the conduct of many of our magistrates, who being dependent upon the fees of their offices for support, issue warrants in almost every case, and that too, many times, without ever having been paid the cost of the warrant, taking their chance to get their pay out of the parties to be arrested who are brought before them. A remedy for this evil should be sought from the Legislature; the magistrates should be deprived of all interest in the commitment of persons brought before them, by rendering their offices salaried ones, and preventing them from receiving fees at all; they would then be likely to be disinterested in their judgments, and would be more merciful, and would scrutinize closely each case, and would refrain from committing for trifling offences. Such a course if pursued, would, in the opinion of the Agent, reduce the criminal business of this county at least one half, and would lessen the burden of tax-payers to the extent of many thousands of dollars annually, and that too, without endangering in the least the morals or the safety of the community.

The Agent in this connection inserts the charge of Judge Brewster

to the Grand Jury in which he fully indorses the views of the Agent in reference to improper commitments upon the part of magistrates: In Judge Brewster's charge to the Grand Jury, April 7, 1868, he said:

"By the Report of Mr. Mullen, the Prison Agent, for 1867, it appears, that while the arrests in this City were during that year nearly one thousand a week, only 5,861 ever reached the Grand Juries. Of these, less than one tenth were convicted. It would seem, therefore, that of all the prisoners arrested only one in every seventy-six is guilty, and that of all the bills submitted to the Grand Jury, only about one in every ten results in a conviction. Whilst, you cannot, with safety to the community, reject bills for larceny, forgery, arson, homicide, and offences of a serious grade, you can on the other hand, serve the public treasury by ignoring nine out of ten of the assaults and batteries, and minor offences. Notwithstanding suggestions from the Court, to this effect, I have known a Grand Jury to return a true bill for larceny against a man who had borrowed a step-ladder, and in another case, true bills were returned upon cross-complaints of assault and battery by two women, who encountered each others' brooms while sweeping a gutter. It is a reproach to justice that parties who have cases of real merit should be kept waiting in court, whilst our time is occupied with foolish complaints and groundless accusations returned as true bills. I earnestly recommend you to ignore all such indictments. Another subject demands your attention. We profess to be a civilized community and to treat our criminals according to law. Unfortunately this is only profession. We practice that which is a disgrace to civilization, and a violation of our Statutes. Our Eastern Penitentiary and County Prison are so overcrowded that the Inspectors hesitate whether they shall violate the law by refusing or by receiving more prisoners. In the male department of the County Prison, 425 convicts profess to be undergoing solitary confinement in 195 cells. By a report of the Clerk of the Board, enclosed to me by Mr. James A. Freeman, one of the Inspectors, it appears that 89 cells are each occupied by two convicts; 68 cells are each occupied by three convicts; and 3 cells are each occupied by four convicts. This condition of affairs is daily growing worse, and is a palpable though unavoidable violation of the law requiring separate imprisonment. There is over-crowding in the other wards of that Prison, and in the Eastern Penitentiary. If we look at the subject in the light of humanity, the condemnation is, if possible, still stronger. At my request one of these cells was measured and it is reported to me, that it contains but 935 cubic feet. From this, is of course to be deducted the space occupied by the bodies of the prisoners, and the beds and the furniture of the cells. The evils likely to result from the breaking out of a pestilence in such an establishment may easily be conjectured. Injuries to morals, and violations of nature and decency, of which complaint has been made to me by a prisoner, of a character which will not bear public repetition, are unfortunately matters of sad truth and no conjecture. I therefore recommend that you visit the prison as soon as possible, and that you make such presentment of the facts as will invoke the proper action for the remedy of these great evils."

The Agent, in his endeavors to relieve the oppressed, visits the prosecutors, reasons with them, and obtains if possible, their consent to the settlement of the prisoner's case by the magistrate, when it can be done according to law. Under other circumstances, where this cannot be done, he sees that a prompt return of the case is made to the District Attorney by the magistrate, and, when necessary, supplies the prisoner with counsel, and attends to having the witnesses brought into Court. By this management, injustice and unnecessary delay are prevented, and the cases are promptly disposed of.

A large proportion of the persons released from prison through the interference of the Agent, were entirely innocent of the offences with which they were charged; while some of the number were guilty, but

their cases presented many extenuating circumstances which rendered the Agent's efforts in their behalf proper, and were such as met with the approval of the authorities. The Agent, however, wishes it to be *distinctly* understood, that he has not in any case endeavored to defeat the ends of justice, by shielding the really guilty from the punishment due to their offences, but, at the same time, he has deemed it his duty to interfere in cases of a trivial character, or when they were accompanied with such mitigating circumstances as to make a longer confinement not only unnecessary but oppressive.

His efforts have been mainly exerted in behalf of innocent persons, who have been committed to prison, and who, through the Agent's prompt interference, have been at once restored to their suffering families; many of them being parents having helpless children of a tender age depending upon them for support. In this way he has saved numerous families from being broken up, and the members of those families from being scattered and ruined. The release of these persons from prison has been a saving to the tax-payers of eighteen thousand two hundred and sixty-one dollars and twenty cents (\$18,261 $\frac{20}{100}$), of which amount eleven thousand six hundred and twenty-one dollars seventy-five cents (\$11,621 $\frac{75}{100}$) would have been required for ignoring their cases, and six thousand six hundred and thirty-nine dollars fifty cents (\$6,639 $\frac{50}{100}$) would have been expended for their maintenance, had they been detained in prison until the earliest period in the term of the Court for disposing of their cases.

The whole number of persons released through the interference of the Agent, during the last fifteen years, since the commencement of his Agency, has been twenty-one thousand seven hundred and ninety-two (21,792), at a saving to the County of one hundred and ninety-five thousand two hundred and fifty-five dollars forty-seven cents (\$195,255 $\frac{47}{100}$), facts which, taken in a pecuniary point of view, alone would make his mission one of importance.

Out of the thirty-six thousand three hundred and thirty-three (36,333) arrests within the year, there were but five thousand three hundred and fifty-three (5,353) cases acted upon by the different Grand Juries; of this number there were two thousand three hundred and sixty-one (2,361) cases ignored, and two thousand nine hundred and ninety-two (2,992) true bills found. Of all this number there were but five hundred and fifty (550) who were found guilty and convicted, after having been tried in Court. Of these but four hundred and eighty-six (486) persons were found guilty, and sentenced to hard labor, and sixty-four (64) not to labor.

The expenses of the Criminal Court (including Jurors, Witnesses, District Attorney, Clerk of Court, and Tipstaves), for the year, were fifty-six thousand two hundred and thirteen dollars forty-two cents (\$56,213 $\frac{42}{100}$).

The expenses for the support of the prison for the past year were, one hundred and four thousand six hundred and thirty-one dollars and sixty-three cents (\$104,631 $\frac{63}{100}$), and the amount paid to the Police during the

same period was eight hundred and forty-four thousand four hundred and eighty-four dollars twenty-four cents (\$844,484²⁴/₁₀₀).

Of the seventeen thousand six hundred and twenty who were committed to prison within the year there were thirteen thousand and seventy-five males and four thousand five hundred and forty-five females. Of this number twelve thousand and ninety-six were white males, and four thousand and fifty-one were white females, nine hundred and seventy-nine were colored males and four hundred and ninety four were colored females. The number of persons discharged from the County Prison during the year was as follows:—By the Inspectors, seven thousand and seven (7007), who had been committed for drunkenness and breaches of the peace; and by the Courts, the Magistrates and others in authority, seven thousand one hundred and twenty-one (7121). Among this number were some prisoners whose term of imprisonment terminated during the year, but who had been sentenced in the year previous.

The Agent would call your attention to the alarming increase of crimes of a high grade, showing a fearful state of things. In 1868, there were thirty-nine (39) cases of murder and one hundred and twenty-one (121) cases of assaults to murder, while in 1867, there were twenty-eight (28), being an increase, during 1868, of eleven (11); in 1868, there were ninety-four (94) cases of infanticide, while in 1867 there were sixty-six (66), being an increase, during the year 1868, of twenty-eight (28). This increase is startling and shows that something should be done to prevent this state of things and stop the growth of this species of crime. The Agent would here allude to the fact that while crime has largely increased among the white population in our midst during the last few years, it has, among the colored population, proportionately decreased. An interesting fact asserted by Dr. Henry Yale Smith, the Physician of the Prison is, that during all his long and extended experience in the treatment of cases of *mania-a-potu* (twelve years of which he has been Physician of the Prison), he never yet has seen a case of *delirium tremens* in a pure negro. This fact was asserted by the Doctor many years since, and he has stated recently that he has seen no cause to change his opinion in that respect.

PRESENTMENT OF THE GRAND JURY, APRIL 30, 1868.

[This presentment was in response to the charge of Judge Brewster, quoted above.]

The Grand Jury made their presentment, stating that they had acted on four hundred and twenty-two bills of which have been returned, as true bills, two hundred and nine, and two hundred and thirteen have been ignored. The Grand Jury, on its organization for the April term of the Court, received a special charge from Judge Brewster, relative to the County Prison, and the reception and treatment of prisoners there, with reference particularly to the crowded condition of the cells appropriated to convicts, and the capacity of the Prison for the number which, in the administration of the criminal laws of the State, are sent thither

for punishment. Such a charge naturally strengthened the motives of the Grand Jury to investigate the state of the Prison, and added to the earnestness and closeness of their inquiries into the capabilities of the place, and the administrations of its affairs. On the 22d of April, the Grand Jury visited the County Prison, and were received by the Superintendent and the Visiting Inspectors, and entered at once into inquiries suggested by the "charge of the Court." The County Prison consists of three blocks or buildings, one of which is specially appropriated to the male convicts sentenced to separate confinement and hard labor.

MALE CONVICT BLOCK.

This building consists of three stages or stories, each containing about sixty-four available cells, in the whole about one hundred and ninety-two cells, 12 feet 9 inches long by 8 feet 10 inches wide. In these cells are now four hundred and fourteen convicts—more than two to each cell; but, as of necessity, some of these prisoners must be kept separate from others (those convicted of murder, and some of a class whose brutality will admit of no companionship), it follows that there are two and three prisoners in many of the cells of this block. The law of the Commonwealth with reference to the confinement of convicts is simple and direct, and the Honorable Court will judge of its application. It is evident that in this crowded state of the Prison, there can be little hope of improving the morals of the inmates; the association of the bad seems to bring the best of them to the standard of the worst. It is a private school for vice, and though the humane visit the cells with religious and moral advice, the effect of the lesson is rendered, at the best, temporary, by the coarse comments that succeed the departure of the teacher.

A few hours each month or week, given to instruction, are of little effect against the habits of vice and crime, that brought the most of the prisoners to the cell, and the impression upon the less hardened is too light to withstand the persistent antagonism of the permanently bad. It is scarcely necessary to speak of the effect of such a want of space, and the consequent impurity of the atmosphere, upon the health of the inmates. The physical constitution of the prisoner must be strong, indeed, to withstand the effects of such confinement. Nor are these all the evil results of association in the cells. The number in the cells is suggestive of strength, and association also sharpens invention, and a prison that with only one convict in a cell, seems to hold out no hope of escape, no sooner receives two or three into adjoining cells, than it becomes the theatre of schemes for evasion, and the whole talk and the whole plan of the congregated convicts are to unite their ingenuity and their strength to contrive plans and apply instruments that shall insure their escape. The simplest end of punishment (confinement) is scarcely insured by a plan, that by numbers, supplies the means of escape, while the moral and physical condition of the convict must be made worse.

SOUTH BLOCK, OR UNTRIED MALE DEPARTMENT.

The south block or untried male department is about the same dimensions, and with the same number of cells as the male convict block. All the cells of the lower story of this block, are devoted to male drunkards and vagrants who may be (and who are, when the cells become crowded,) discharged by the Inspectors, and thus the place is relieved.

The second story or corridor is devoted to the reception of untried or unsentenced males. There are in this corridor sixty-two cells, and there are confined in these cells, sixty white and seventeen colored persons, in all seventy-seven prisoners, charged with homicide, arson, forgery, robbery, burglary and larceny. Here are more than one to each cell, and if it be wrong to the convict to place him with another of his own class, then it is a greater wrong to place the untried, who, in the eye of the law, is innocent, where he is brought into intimate association with the corrupt and bad, and exposed to temptations to do even worse acts than those charged upon him.

The third or upper gallery of the untried block, has about sixty available cells, and contains forty-seven prisoners sentenced (but not to hard labor), and sixty-eight untried, making a total of one hundred and fifteen, nearly two for each cell. But in this gallery, as in some other parts of the prison, some of the prisoners must be kept separate, and it follows that there are cells crowded with three or four prisoners. To this simple statement of the condition of the two departments of the County Prison, in which males are confined, it seems scarcely necessary to add suggestions as to a remedy for the evil, to which the Court directed the enquiries of the Grand Jury. The evils exist contrary to the laws of this Commonwealth, and in violation of the principles of humanity and sound policy, upon which those laws are founded. The Court must sentence the convicted offender according to the provisions of the law, and the Superintendent of the prison must receive those convicts according to the sentence of the Court; but he cannot treat them according to the law and the sentence. One remedy for this state of affairs, and one only, presents itself, (till some improvement in public morals shall diminish the number of criminals); and that remedy is the enlargement of the existing County Prison, or the erection of another prison. The authority may rest with the Legislature of the State; the means must be supplied by the Councils of the City. The Grand Jury present the evil. The suggestions of the honorable Court may be potent in securing the means, by which convicted offenders may be punished according to law, and imprisoned according to humanity. It may be remarked that while this Grand Jury concurs with preceding grand inquests, in recommending a House of Correction, it should not be supposed that any such institution would soon lessen the crowd in the convict and untried blocks of the County Prison. The enlargement of the prison, and the erection a House of Correction are both needed. The Grand Jury think it only justice to the administration of the prison, to say, that with all the disadvantages noted, cleanliness, propriety, and order pervade the establishment, and the appearance of the interior of

the two blocks devoted to males is highly creditable to the Superintendent and officers of the institution.

FEMALE DEPARTMENT.

The third division of the County Prison is that devoted to females. It was gratifying to the Grand Jury to find that the recent extension of the building of the female department, and the adaptation of the old debtors apartment to the same purpose, had been accomplished, and that the expectations indulged, when the work was projected by the Inspectors and authorized by City Councils, have been realized. There are here forty-two white, and twenty-five colored convicts, making sixty-seven convicts and sentenced females, each one of whom has a cell to herself; and other cells remain for future additions to the number of convicts. The Grand Jury could not fail to be struck with and bear testimony to the great neatness and order manifested in this department; a result which shows what can be done, when provisions are equal to the requirements of the place. The separate confinement of the female convicts, permits of direct instruction of various kinds, and prisoners are profiting by the new capabilities of the place. The Grand Jury in their investigation of the condition of the inmates of the prison, naturally made themselves acquainted with the causes of their imprisonment. Reference has already been made to the great number convicted of felony, but a still greater number are sent to prison for intoxication and the result of that vice. This is an evil not to be greatly lessened by dealing with individual offenders. It often happens that the habit is confirmed before the offender finds his way to prison. But it is worthy of inquiry whether some more efficient way may not be adopted to diminish the number of those who seem to live in the place where intoxicating liquors are sold, and in the prison, and, as a natural consequence die in the Almshouse. Public economy, and public morals and decency are involved in this question.

The Grand Jury on examining the bills presented to them, and on looking through the cells of the County Prison, in which are placed for trial, persons charged with violation of the penal laws, were struck with the apparent want of discrimination in many of the commitments. It is believed a great amendment might be made in the initiatory proceedings against those charged with offences, and in that the directly and earnestly expressed opinion of the Court in the charge, under which the Grand Jury has been making inquest, can scarcely fail of good effect. But it is believed that the evil lies deeper than in the administration. The system of primary justice, seems, in our city, to need improvement. The independence of the judiciary is considered necessary to its purity. That judiciary commences below the courts of record. The Grand Jury regretted to find in the cells of the prison, several lads, committed on light charges. The associations and the impressions of such a place are certainly adverse to good morals, and may be productive of great evil, in the future life of the young prisoner. Among the

convicts in the County prison, are several sentenced to death on conviction of murder in the first degree; of these unhappy men, one particularly appealed to the sensibilities of the Grand Jury, Newton Champion, who has become insane, and is occasionally very violent. It would seem that a public prison is not a place for an insane man.

Judge Brewster, after reading the presentment, said:

Gentlemen of the Grand Jury, your presentment has given the Court great satisfaction. It must satisfy the community of the extent of your labors and the able and patient manner in which you have discharged your duties. I sincerely trust succeeding Grand Juries will follow the good example you have set, by ignoring trifling and unsupported charges. You have saved the County thousands of dollars, and parties and witnesses the wearying delay in waiting day after day to secure a hearing. Your reference to the condition of our prisons deserves the special notice of the authorities. You are discharged for the term, with the thanks of the Court for the punctuality of your attendance, and the fidelity with which you have discharged your onerous and responsible duties.

PRESENTMENT OF THE GRAND JURY, FOR JULY TERM.

The Grand Jury made its final presentment; four hundred and sixty bills have been acted upon; of these two hundred and ninety-nine have been found true and one hundred and sixty-one ignored. The crowded condition of the County Prison is referred to, and Councils are urged to provide additional accommodations, and also to erect a House of Correction.

Reference is made to the number of trivial cases brought to the notice of the Grand Jury, and it is suggested that three-fourths of the misdemeanors brought to their attention are caused by the indiscriminate sale of liquor.

PRESENTMENT OF THE GRAND JURY, FOR OCTOBER 30, 1868.

The Grand Jury say that, "while they would not shield from just punishment the infractor of any law, they cannot view, with approval, the custom of many of the Justices of the Peace, in binding over parties on such trivial charges as scarcely to meet the consideration of the Court. There have also been cases within the cognisance of the present Jury, wherein excessive bail has been demanded, in which, should conviction occur, the extreme penalty of the law would be but a moiety of the amount of bail required; thus subjecting the accused to the severest trial of the test of friendship, or the only alternative, going to prison."

PRESENTMENT OF THE GRAND JURY FOR DECEMBER TERM.

The Grand Jury made their presentment, stating that they have acted upon four hundred and fifty-three bills; found two hundred and twelve true, and ignored two hundred and forty-one. The majority of bills ig-

nored have been returned by Aldermen for the most trivial causes, thus consuming the time of the Jury and putting the County to unnecessary costs.

The crowded condition of the County Prison is referred to, and the evil resulting therefrom deplored. The presence of small boys in the untried department is regretted, and they feel it a duty to express a hope that there will before long be provided a House of Correction for those who now crowd the vagrant cells of the prison in the summer, and occupy a part of the Almshouse in the winter.

Judge Peiree in reply, said :

“ If there was no power in the municipal government to erect a House of Correction, other power would undoubtedly be found to erect such a building, and stop the great evils now existing by reason of the absence of one.”

THE FEMALE DEPARTMENT.

This department of the Prison, under the immediate management of the Hon. Joseph R. Chandler, is one of the most complete places of confinement for criminals, to be found in this country, and, it is believed, has no equal in the world, and may be fairly called a model prison. The Pennsylvania System of separate confinement is here faithfully adhered to, and literally carried out; each inmate has a cell for herself, which is well aired and ventilated, and is healthful. This department is supplied with an abundance of pure, fresh air, by means of its admirable arrangements for ventilation, and in this particular is equal, if not superior, to any similar institution in the State. Inspector Chandler devotes his whole time to the inspection and management of the Prison, giving most of his time, however, to this portion of it, which he visits twice daily. His kindness and attention to the inmates, especially during times of sickness, are deserving of the highest praise, while his unostentatious but liberal charity is enjoyed by those whose conduct and behavior deserve it. The Matrons and the Keeper, Mr. Sargent, are faithful and attentive to all their duties, and the good order and cleanliness manifested here, reflect upon them the highest credit.

MANAGEMENT OF THE PRISON.

The good management and economy of the Prison by the Board of Inspectors, is such as to command, and deserve, universal approval. Mr. Wm. B. Perkins, the competent Superintendent, cannot be too highly praised for his efficient service in maintaining proper discipline, and for his care and attention to the duties of his position in the preservation of good order and cleanliness. Notwithstanding the crowded condition of the Prison, the health of the inmates continues good. Dr. Henry Y. Smith, the Prison Physician, and his Assistant, Dr. Butcher, are also faithful and attentive to their duties, and continue to render their valuable services to all who need them.

DISCHARGED CONVICTS.

The Agent has given particular attention to discharged convicts, a class peculiarly needing aid and help. Many of them are strangers in our city, without either means or friends. The Agent makes it his business to visit each convict a day or two before he is discharged, in order that he may ascertain his circumstances and condition. He furnishes them, if needed, with necessary articles of clothing, and supplies them with sufficient money to meet their immediate wants. In many cases, he provides them with temporary homes at the House of Industry or elsewhere, or obtains for them self-supporting employment, and, when required, procures railroad tickets for them to convey them to their distant friends. Many of the discharged female convicts are taken by the Agent to the Howard Home, or to the Rosine Asylum, where they are properly cared for, and instructed in useful occupations.

OPPRESSION OF SEAMEN.

The Agent's attention is frequently called to the cases of seamen who have been illegally and unjustly imprisoned by keepers of Sailors' Boarding Houses; this class of men after making long voyages, seem to have escaped all the perils of the sea, only to fall into the hands of what are vulgarly called "land sharks" and others who look upon them as an easy prey. Some alteration in the law regulating these establishments should be made; many sailors as soon as they land from their ships are taken in hand by these boarding house keepers and taken to their hotels, where every expedient is resorted to, to obtain possession of their money, by supplying them with abundance of intoxicating liquors for which they charge them heavily, until finally the poor fellows find themselves without a cent and in the debt of their landlord, who to get rid of their importunities or to extort more money by compelling them to re-ship, trumps up a false criminal charge against them, and has them committed to prison. The Agent attends to this class of cases the moment his attention is drawn to them, and succeeds in nearly every case in obtaining their release. When it is requisite that their cases should be sent to court, he sees that they are returned at once, and endeavors to protect them as far as he can. The Court always looks with favor upon such cases, and lends its influence to the efforts of the Agent in procuring their discharge.

The Agent would also respectfully call your attention to the necessity of making an effort to provide, through the Legislature, some safe Asylum for the treatment and detention of the criminal insane. Such an Asylum is badly needed. A prison, in consequence of its inadequate accommodations and want of proper medical facilities is certainly, no place to confine such criminals. The Board of Inspectors of the Philadelphia County Prison, in their Annual Report for 1867, refer especially to the case of Newton Champion, an insane convict, who is in the Prison under sentence of death. They say:

"Newton Chapion, sentenced to be hung, December 1st, 1866. After his sentence, there being grounds for the belief that he was insane, Governor Curtin appointed a commission of medical experts to inquire into the question of his lunacy; and upon their report in the affirmative, the Governor refused to sign his death-warrant. His mental condition is apparently now the same as at the time of his examination by the commission."

Champion is still confined in the County Prison, and continues insane, being frequently very violent. The Grand Juries, in their presentments during the past year, have frequently called the attention of the Court to his case, but all efforts made, have thus far failed in ameliorating his condition.

His Excellency Governor Geary, in addition to the appointment of your Agent to visit the different Prisons of the State, with a view to ameliorate the condition of the inmates, also appointed Mr. Mahlon H. Dickinson, to visit the Prisons and inspect them, and report upon their condition. The selection was a good one. Mr. Dickinson is a gentleman of energy, benevolence, and large experience, eminently qualified to perform all the duties appertaining to such a position. He has just sent to the Governor his Annual Report, in which he calls the attention of the Executive to the necessity for some institution where the insane can be properly cared for and treated. His report is a valuable one, and replete with reformatory suggestions which cannot fail to be productive of good.

There are, at the present time, confined in the Philadelphia County Prison, six persons under sentence of death. In each of these cases the Governor has evinced a disposition not to sign their death-warrants. This leaves these unfortunate prisoners without the certainty of their imprisonment's terminating, save with death. The Governor, in his last Annual Message to the Legislature, uses the following language in reference to them.

"There are confined in the Philadelphia County Prison the following named convicts, under sentence of death, for whose execution warrants have not been issued: Edward Ford, sentenced May 12, 1851; Jerry Dixon, May 30, 1863; Patrick Finnegan, February 9, 1863; Newtown Chapion, December 1, 1866, and Alfred Alexander and Hester Vaughn, July 3, 1868. Successive Governors, for satisfactory reasons, have declined to order the execution of these persons. The law requires that they shall be executed in accordance with the sentence, unconditionally pardoned, or held in close confinement in the County Jail during life. The latter punishment, with the additional embitterment constantly preying upon the mind that a death-warrant may at any moment be issued, is, perhaps, the severest that could be inflicted. It would be both just and merciful to give the Governor authority to commute the sentence of death in the above named cases, to imprisonment, at labor, in the Penitentiary, for such a term of years as ameliorating circumstances may seem to justify and demand. One of the convicts named has been imprisoned about eighteen years, and, although it might not be advisable to set him at liberty, humanity and a sense of justice require the commutation of his sentence in the manner suggested."

The suggestion made by the Governor, in this particular, is an admirable one, and should be carried into effect.

MORAL INSTRUCTION.

The moral instruction on the Sabbath day, under the direction of the Agent, continues to be satisfactory to the prisoners. This is mainly attended by the Association of Methodist Local Preachers, and, occasionally by Ministers of other denominations, who are attentive, and render efficient services. During the past year one of the most faithful and active of these latter, the Rev. Thomas G. Allen, of the Episcopal Church, was called home to enjoy that rest prepared by God for those who, on this earth, have faithfully served him. Mr. Allen, although at quite an advanced age, was always at his post at the appointed time, despite all kinds of weather, and by his ministrations effected a large amount of good. He will long be missed by those who were in the habit of hearing his discourses, and who experienced his kind words of counsel in their cells.

It is gratifying to the Agent to know that he still continues to have the confidence of the Court, and he is grateful for the courtesy and kindness shown him by the Judges, District Attorney, and the Inspectors of the Prison.

The kindness and courtesy of our newly elected District Attorney, Furman Sheppard, Esq., are such as to command from the Agent the highest respect for his disinterested and liberal compliance with the numerous applications which the Agent has made for the liberation of prisoners. Thus far, he has not, in any one instance, refused to consent to the settlement of a case, whenever he could do so consistently with the public interest. In all cases, he requires the Agent to give a written history of the case, with the reasons why mercy should be shown to the prisoner. In this way he properly places the responsibility upon the Agent.

While the Agent feels grateful for the many mercies, blessings, and benefits which he has received from a kind Providence, he is fully conscious of his short-comings and inability to do all that he should do, to become in every way acceptable.

In conclusion, he desires to say, that he is not without the hope of having the Divine guidance in all his acts and doings, in the many efforts he shall be permitted to make to benefit his fellow men, and in doing all that may be in his power to relieve suffering humanity as he finds it before him, from time to time. At the same time he feels fully conscious that whatever he may be enabled to do, will be, at best, imperfectly done, but he sincerely hopes that it will be done with an "eye single to the glory of God."

With a sincere desire that the above may be satisfactory, I have the honor to be,

Very respectfully,

WILLIAM J. MULLIN,

Prison Agent.

SCHEDULE.

Showing the number of cases discharged from the Philadelphia County Prison, from January 1st, 1868, to January 1st, 1869, through the interference of WILLIAM J. MULLEN, Prison Agent, their further detention not being deemed necessary, as it did not appear, upon investigation, that they were guilty of the offences which they were accused of, or if so, as was the case in some instances, the punishment they had already received being regarded as sufficient.

OFFENCES.	January.	February.	March.	April.	May.	June.	July.	August.	September.	October.	November.	December.	TOTALS.
Abuse and threat.....	5	7	6	.....	11	8	26	45	.....	.....	29	28	165
Adultery.....	.....	.....	.....	.....	.....	.....	.....	.....	2	1	.....	.....	3
Arson.....	1	.....	.....	1	1	1	.....	.....	.....	.....	.....	.....	4
Assault and battery.....	20	5	6	21	17	19	29	28	42	26	34	28	275
Assault and threats.....	5	.....	9	2	.....	14	.....	.....	37	26	.....	10	103
Bigamy.....	.....	.....	1	1	.....	.....	.....	1	.....	.....	.....	.....	3
Concealed weapons.....	2	.....	.....	.....	1	.....	.....	.....	.....	.....	1	.....	5
Disorderly House.....	.....	3	2	.....	3	.....	2	2	4	3	4	3	26
False Pretences.....	.....	12	12	1	.....	3	1	6	3	.....	2	12	22
Fornication and bastardy.....	.....	.....	1	.....	1	.....	1	.....	.....	.....	1	.....	4
Indecent exposure.....	12	2	.....	.....	.....	12	3	3	.....	3	1	1	17
Infanticide.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	.....	.....	1
Larceny.....	3	5	2	4	12	8	19	13	7	6	20	23	121
Malicious mischief.....	2	4	2	4	1	9	10	1	2	1	5	4	45
Misdemeanor.....	30	36	22	48	59	65	105	97	91	55	73	78	759
Peddling without license.....	.....	12	.....	.....	.....	.....	.....	.....	.....	.....	1	1	4
Riot.....	1	3	.....	11	3	.....	2	.....	1	1	6	1	28
Robbery.....	1	.....	.....	.....	.....	.....	.....	.....	.....	2	.....	2	5
Slander.....	.....	.....	.....	.....	.....	.....	.....	.....	1	.....	.....	.....	1
Wife desertion.....	.....	1	.....	3	1	.....	1	.....	.....	2	2	2	12
Totals.....	72	70	54	96	110	129	200	196	190	125	178	183	1603

HOMICIDES.

Convicted in 30 years.....	36
Executed " ".....	12
Pardoned " ".....	9
Released by the Court.....	3
" " death.....	4
Still in prison.....	6

We give the following as taken from Governor Geary's Annual Message to the Legislature, for the year 1868 :

TABULAR STATEMENT of the number of pardons, remissions of fines, and forfeited recognizances, (with the yearly average,) restorations to citizenship, and death warrants issued from the year 1791 to 1868, inclusive, together with the names of the Governors by whom they were issued.

Years, inclusive.	No. of years.	Pardons and remissions.	Yearly average.	Death warrants.	Restorat'n to citizenship.	By whom issued.
From 1791 to 1799.....	9	1,188	132	10	.....	Thomas Mifflin.
" 1800 to 1808.....	9	1,909	212	10	.....	Thomas M'Kean.
" 1809 to 1817.....	9	1,555	172	6	.....	Simou Snyder.
" 1818 to 1820.....	3	1,304	434	6	.....	William Findlay.
" 1821 to 1823.....	3	787	262	4	.....	Joseph Heister.
" 1824 to 1829.....	6	821	136	7	.....	John A. Shultz.
" 1830 to 1835.....	6	602	83	8	.....	George Wolf.
" 1836 to 1838.....	3	481	160	6	.....	Joseph Ritner.
" 1839 to 1844.....	6	725	120	14	57	David R. Porter.
" 1845 to 1848.....	4	327	81	11	35	Francis R. Shunk.
" 1849 to 1851.....	3	378	126	6	29	William F. Johnston.
" 1852 to 1854.....	3	326	108	11	37	William Bigler.
" 1855 to 1857.....	3	161	53	8	37	James Pollock.
" 1858 to 1860.....	3	216	72	12	34	William F. Packer.
" 1861 to 1866.....	6	763	127	18	1	Andrew G. Curtin.
" 1867 to 1868.....	2	172	86	10	1	John W. Geary.
Totals.....	78	11,615	149	147	231	

We give the following article, as taken from the Annual Report of the Prison Society, for 1868 ; as it is from the pen of the Honorable Joseph R. Chandler, an Inspector, who gives his whole time to the inspection and management of the Prison, it will be appreciated, as it comes from one who fully understands the labors of the Agent :

“THE AGENT.

“We have of late years made a regular reference to the labors of the Agent of this Society, Mr. William J. Mullen, and as we are now referring to what the Society has done, we necessarily refer to the doings of the Agent, who works in the name and on behalf of the Society.

“Mr. Mullen has for many years past published a regular statement of the results of his efforts, direct and personal, to meliorate the condition of prisoners. And some instances have been given in our Journal of his successful efforts, but where he reports from twelve to fifteen hundred cases each year, it would be impracticable to attempt to present all these cases. But we refer to them now as connected with, and a part of the means of this Society for reaching the object in its title. And we wish to add that we do not see how this or any other Society of the kind could effect its object without just such an agency. Prisons may receive modification in form, and entire changes in administration, according to the views of men of true social science, without at first affecting the condition of the prisoner. While discussions are going on with regard to the position, size and number of cells ; while commissions and committees traverse States to make inquiry as to the best mode of disposing of the convict ; while county functionaries look grave over the additional cost of taxation, to pay for, and maintain the prisons ; while the philanthropist discusses the question of separate or social confinement, or the relative value of the Pennsylvania and the Irish system, the poor prisoner, in whose behalf philanthropy has raised these inquiries, needs some medium between him and the world without, by which he may secure a fair trial—or if convicted, be made to feel that there is *hope* beyond the sentence, and that the opening of the prison door for his egress, is not also to admit him to the haunts of vice. The Agent is needed here. But a part of the County Prison is crowded with persons charged with offences of a character just sufficient to keep them in control of the magistrate, their imprisonment affords a personal enemy a chance to use their absence to their disadvantage, while he gratifies a bad feeling of hatred, jealousy or envy. Hundreds of women are every year committed to the Prison on charges of assault, of threats, of abuse, made by persons who are themselves the offenders, and who make the charge ‘on oath,’ merely to place their victim in a position where she cannot begin the suit.

“Children are thrown into prison to prevent them from bearing testimony against their prosecutors. Wives are thrown into the cells because they give vent to their feelings, outraged by the presence of another woman, brought into the house to share their loaf and occupy their bed. And some even are ‘sent below’ to prevent exposures which their unexpected return might cause.

“The heart-wrung mother comes down to the County Prison to search

for her erring daughter, gifted with poverty and beauty—and fears to find that for which she looks—she too often finds her there. ‘And worst of all and most to be deplored,’ the young daughter missing for a night her widowed mother, comes and finds *her* the inmate of a cell.

“The convict too, has interest abroad, some little claims for wages, some small depository of clothes, some pawn tickets for dresses or ornaments, pledged for the necessities of life.

“Here is work for an ‘Agent.’ It is not difficult to see, that with judgment, prudence, and perseverance, the condition of most of those to whose state we have referred, may be greatly ameliorated. Those who watch the labors of the Agent know how extensively and how heartily that work has been done.

“The Society in doing justice to the masterly efforts of Mr. Mullen, takes to itself a portion of the credit to which his labors are entitled—because his office is a part of the plan of the Society, and a devised means by which the work was to be performed. The manner, persistent and thorough, in which the Agent has done the work, is Mr. Mullen’s claim to consideration.

“We repeat now what we have had occasion to say more than once. That while we stand astonished at the nefariousness of some acts which Mr. Mullen has, by investigating prison cases, disclosed, and the personal and social benefits that have resulted from his interference, there are small cases that have received the careful and successful attention of the Agent, which are so limited in their influence upon any but the mere sufferer, that they are not reckoned of importance sufficient for a ‘report,’ and yet their settlement has brought peace and consolation to a distressed family, and in more than one instance has snatched from the brink of utter ruin, the young female who has chafed at home authority, or has wandered away without special motives, and then has placed her where the better instincts of her sex could be directed by the best influence of religion.”

We give the following as taken from the Annual Report of the Prison Inspectors of the Philadelphia County Prison :

“The services of the Agent, Mr. W. J. Mullen, have been eminently useful and acceptable in the performance of the peculiar duties which devolve upon him. The Board has undiminished confidence in the integrity and zeal with which the delicate and responsible functions of his office are performed.”

Of the very many letters received within the year from good men, that are of an encouraging character, there is one from an old friend, Hon. Eli K. Price, which is fully appreciated by the Agent, particularly so as he has at all times taken a lively interest in the benevolent and reformatory institutions of our city. He is one who has done more towards consolidating the city and its institutions upon a firm basis than any other man of our day. And this he did, not only when a Senator, but has continued to do so, as a good citizen who is beloved by all whose privilege it is to know him.

The following is his letter to the Agent :

TO WILLIAM J. MULLEN.

I have received your note, with your Annual Report as Prison Agent, on the 14th instant. As you say, I had known you, years before your official agency, as one actively engaged in the discharge of duties to humanity, much the same as since your appointment. Then, and always since, I have highly appreciated your services, and ever felt thankful to you for them. They have been of a kind that very few others could or would assist you in performing, and without your aid, thousands would have no friend to assist and rescue in misfortune, often undeserved.

I know of no greater blessing to the poor and falsely accused, than to know that there is one in this great city, who is their sure friend, and with knowledge of the ways and means, will certainly see them righted. What you alone do, will go far to preserve the character of our community from reproach, and supply the delinquencies of many of us, who are constantly occupied with our business, and public demands made upon our time in other directions.

I add my sincere prayers to those of the many who bestow their grateful thanks upon you, that you may have a long life, and ever the same heart to go about doing good.

I am sincerely your friend,

ELI K. PRICE.

April 30th, 1868.

The Agent having received a letter from Mr. James Black, Esq., President of the State Temperance Society, informing him that his article on "Intemperance, &c," which will be found on page 22, had been received with favor by the State Temperance Convention held at Harrisburg, February 23d, 1869, has deemed it proper to insert a copy of it :

LANCASTER, PA , March 1st, 1869.

WILLIAM J. MULLEN, Esq., *Prison Agent of Philadelphia.*

DEAR SIR: Your valuable paper on "Intemperance, &c," was received by the Convention with marks of satisfaction, and ordered to be printed with the proceedings, and the thanks of the Convention tendered to you for your valuable labors, and hearty earnestness for the "Cause of Temperance."

I think it is proper that you should know this, but fear the Secretaries may overlook their duty in this matter, and hence this note.

Very respectfully,

JAMES BLACK.

In a previous letter, Mr. Black also alluded to the action of the former State Temperance Convention, that adopted an address prepared by your Agent, on the subject of "Temperance," which was published at the expense of the Convention, and used, as he says, "all over the United States, for the benefit of the cause."

INTEMPERANCE.

THE PROLIFIC SOURCE OF HUMAN SUFFERING; THE CAUSE OF THE
PRESENT HIGH CARNIVAL OF BLOOD AND CRIME.

It has sent to our prison one hundred and eighty-two thousand four hundred and forty-nine (182,449) persons, within the last twenty-one years.

The evils of intemperance in this community are so great, that the subject presents itself to us as one well worthy of our attentive and careful consideration. No other subject appeals so strongly to our sympathies as this. When we examine it in its moral, and even political aspects, we are struck with astonishment at the results produced by this growing curse. We have a population in Philadelphia, estimated at over 800,000. Careful inquiry has developed the fact that in our City over 3,850 taverns or drinking houses, pay the license required by law, while more than double that number carry on the traffic in an illegitimate way, without any regard to the requirements of the law. These places, it is fairly to be presumed, do a profitable and paying business, or otherwise, they would soon be compelled to elose. The immense amount of suffering, destitution and misery consequent upon the prosecution of this large amount of business, can scarcely be estimated. One fact, however, we do know, which constantly stares us in the face, and that is that one result of the traffic is to fill the prisons and almshouses. More than three-fourths of the inmates of our prisons attribute their fall in life to the use of intoxicating liquors.

Out of the thirty-seven cases of murder which took place in our city this last year, we can safely say that almost every one of them occurred at a time when the murderer was intoxicated. These deeds of blood are unquestionably clearly traceable to the intoxicating cup, containing the liquid draught of poison which maddens the brain and bereaves of reason, and brings a man to a condition which inflames all his angry passions, and leads him to commit acts of violence—acts, the thought of which, had he been clothed in his right reason, would never have entered his mind. This fact puts a fearful repousibility upon the liquor seller, who entices a man to drink.

A visit to the County Prison, upon almost any day in the year, will reveal sights which cannot fail to shock the sensibilities of the most hardened, while, at the same time, they will most powerfully enlist the sympathies of the beholder. There will be seen men, women, and children, whose constitutional conditions are most lamentable—men who have for a long time pursued a career of dissipation and debauchery, until enfeebled and broken down by exposure, poverty and privations, they are brought to swell the number of inmates of the institution. We see them with haggard faces, bearing most unmistakable marks of a long series of indulgences in the fatal cup—with bloodshot eyes, nervous and trembling in every movement of their bodies, and we are sometimes compelled to ask ourselves if these can really be men. The *mania-a-potu*

ward of the Prison is constantly crowded, and the horrible yells of the maniacs continually sounding in the ears of the visitor, while the distorted features and the terrible contortions of the body, present themselves to the alarmed and astonished gaze of the beholder. The scenes in this ward are frightful to look upon; the pale face, the cold sweat oozing from him, the raging fever, the pupils of the eye distorted, flashing fire as it were, the muscles of the body convulsed by violent writhings, occasioned by excruciating pain and high fever—the poor victim confined with handcuffs and strapped down to the floor, the attendants about him necessary to prevent him from beating out his brains against the stone walls of his prison house; the shrinking back into the corner of the cell to escape, as it were, from the horrible visions, of snakes, devils, &c., which pass before his distorted mind, (visions of which seem invariably to accompany this terrible disease,) the horrible screams and yells of anguish which he constantly utters, are scenes which cannot be described; they must be witnessed to be realized; and which once seen, can never be forgotten by the beholder—the torture and suffering betrayed by his countenance, are truly pitiable. The deep and lasting impression of horror which is made upon the mind by such a scene can never be erased.

I have often wished that the rum-seller, who is the cause of all this misery, could be present to witness the result of his terrible doings, in order that he might realize his accountability to his Creator for the great wrong that he has been doing to his fellow man.

When we examine the statistics relating to this subject, we no longer wonder that this should be the case. The amount paid into the State Treasury during the past year, for tavern licenses throughout the State, was \$279,532.72, while the amount paid for beer licenses was \$40,482.63, making a total of \$320,015.35. Of this amount the sum of \$162,476.06 was paid into the Treasury for the City of Philadelphia, alone. When we add to this, the fact that the aggregate sales of wholesale liquor dealers throughout the United States for the year 1867, was \$602,278,050, and that the aggregate sales of retail liquor dealers, for the same year, reached the enormous sum of \$1,483,491,685, or more than one-half of the aggregate sales of retail dealers of all classes of merchandise in the United States. Our wonder is, not that intemperance has produced such results, but rather that the evils are not more manifest and alarming. Besides, of all the large quantities of liquor sold throughout the country, hardly one glass out of one hundred is pure; the great majority sold is adulterated with the most poisonous substances, such as oil of bitter almonds, oil of cognac, fusil oil, oil of cubebs, oil of juniper, and other deleterious abominations. Most of these ingredients are deadly poisons, and yet the liquor drinker is constantly pouring them down his throat, to the great and lasting injury of his whole physical system. The liquor sellers are the best patrons of the druggists, being dependent upon them for the drugs used in manufacturing their vile trash. But recently in New York, samples of liquor were purchased at the most fashionable restaurants, for genuine brandy, (of the kind which is sold for from fifty cents to one dollar a glass,) which samples were tested by a scien-

tific and practical chemist, and found to be the commonest sort of liquor, adulterated with some poisonous drugs to give it body and consistency. And yet with all these facts before them and staring them in the face, thousands in the community continue in the habitual and unrestricted use of them.

The liquors that are drunk in our city should be analyzed, and the poisonous substances exposed. This degrading traffic is increasing amongst us yearly; families, through its pernicious influence, are broken up; husbands, fathers, mothers and wives go down, daily, into drunkards' graves, the deepest ever dug for man.

Ignorance and drunkenness are the real causes of misery in the world. The last, however, is immeasurably worse than all others combined; for such are the benumbing, stultifying and crazing effects of inebriating drinks, that they change a man of reason and feeling into a brutalized monster; hence it is that "the knife, the dagger, the bludgeon and the pistol are in such frequent use, and in the domestic circle, cruelty to children, wife beating, and in many families at home, horrors of every kind." This is lamentably true; which is proved beyond all contradiction, by the cases that have of late consumed nearly all of the time of our Courts, and shows society at large in this city to be in a humiliating, alarming, and dangerous condition. The murderers of the Byrnes, McKieve, Heenan, Martin, Colonel Riddle, and others, were drunk; and had it not been for rum, they would now be living. As fast as the Court disposes of one case of assassination, strong drink or whiskey furnishes another. How long is this to last? Sad picture indeed; and we fear will remain so, so long as this apathy exists.

We are met on every side by spectacles of the most affecting kind. Our daily experience presents to us so many cases of suffering innocence, of youthful hopes blighted in the bud, of old age rendered miserable, and of families scattered through this terrible evil, that we must be convinced more and more every day, that the welfare of our country imperatively demands that the traffic should be done away with, and an opportunity offered to the youth of our land to grow up free from its pernicious influence.

There are persons who idle away their time, and who seem to live in the places where intoxicating liquors are sold, and in the prison, and as a natural consequence find their way to the Almshouse. This is the unhappy result of this iniquitous business, that sends forth into the world an average of three drunkards per day from each establishment where intoxicating liquors are sold. These poor victims while reeling and staggering along through the streets to their homes (should they get there), where all are to be made miserable by their presence, a disgrace to themselves and to the community; where they do not do this, they are picked up by the police and brought to the prison, too often to suffer and to die. The whole number of these dens of iniquity in our city of Philadelphia is computed to be seven thousand seven hundred, of which number there are but three thousand eight hundred and fifty that have obtained license. Their average crop of drunkards

per day, is 23,100, who are sent forth to corrupt the community and violate our laws. Of 36,333 who were arrested within the year, there were 17,620 who were sent to prison. They were there incarcerated at the expense of the public, for the protection of society. All along our streets we see a continuous line of gilded drinking saloons, to ensnare, fascinate, and delude the youth of our fair city, and persons of all grades of society, young and old, going in and out. We see the youth, we see the young man with his manhood gone; we see the middle aged, and the old man pouring down the liquid fire as though it were meat, drink, and clothing to them. We see on the street, the youth with reason dethroned; the young man with his manhood gone; the middle aged with reason terribly shattered, and the old man staggering and reeling into the gutter. Then again; we see the young men with their broadcloth overcoats, and their shiny silk hats above their intelligent-looking faces, reeling and staggering along the street in broad daylight; and even worse than this at other times, and who think it to be the very acme of manliness to say to some smooth faced companion, "Let's take something." And they take, going home to render a sister's or a mother's heart sick with the dread of what may be, and how often will be, and what is, but a sad reality of misery. Our good citizens should rise up as one man and demand of the Legislature at once, to do something to stop this stream of hell—protect us as a community against this growing evil, which could be done by the passage of a prohibitory liquor law that would forever abolish the use of intoxicating liquors as a beverage, and at the same time, making it a crime that should be punished by fine and imprisonment for any person who should violate this law.

The great majority of people have for a long time been content to regard intemperance as a strangely fascinating or a strangely horrible vice; most of those who indulge in this vice imagining that it transports to realms of ideal bliss, unsurpassed by all that poets ever penned or dreamed—inducts into reveries that cast into the shade all promises of an oriental paradise; while all have undefined and undefinable conceptions regarding it. It is notorious that the vice of intemperance is on the increase. The Rev. Newman Hall, states that thirty thousand members are excommunicated, annually, from an English Church for intoxication.

A statement having recently been published, that many in full membership in the churches of a religious denomination were engaged in keeping saloons for the sale of intoxicating drinks; the highest judicature of that denomination decided that the Church "must purge herself of all participation in the sin, by removing from her pale all who are engaged in the sale or manufacture of intoxicating drinks for use as a common beverage."

It should be understood that no man *continues* a drunkard from choice; he sooner or later becomes the veriest slave; and it is the object of this article, to endeavor to deter neophytes—to warn them from submitting themselves to a yoke which will bow them to the earth. In the hope that it may subserve the good proposed, I venture to give a short account of the experience of a prisoner who was an habitual drinker, as

narrated to me by himself; of one who had reformed, but still felt in his tissues the yet slowly smouldering fire of the furnace through which he had passed; of one who had discovered that the idol which he loved and worshipped so, was a poor mean thing "with feet of brass and front of clay." He said to me "I first partook of intoxicating liquors about twelve years ago; a late able writer has observed that there are certain men to whom liquor is as 'fire to tow'; of these it turned out that I was one. I continued taking liquor, each day one or two glasses. One day I exceeded my allowance and drank ten or twelve glasses; after drinking, my blood seemed to make music in my veins, as it seemed to come, more highly oxygenized, singing to my brain, and tingled fresher and warmer into the capillaries of the entire surface, leaping and bubbling like a mountain brook after a shower. For a while, I could not realize the cause. At last, as with a lightning flash it came—it was the stimulant that linked me with misery. For two years longer I continued to drink constantly, and I could, at the termination of that period, drink fifteen or twenty glasses a day. All that time my appetite, though not actually destroyed, was capricious in the extreme; though I did not lose flesh, at least not markedly so. During all this time, also, I continued in high animal spirits, and the stimulant seemed to me the ladder that led to the gates of heaven; but alas! for me, when I reached the topmost round, my wings were burnt, the goal receded, and crushed by my own folly, I fell, and saw beneath me a fathomless abyss too surely mine; a pit purchased by my own blood, dug by my own hand. I gradually eased off then the use of the stimulant for about three months, but with the greatest difficulty and suffering to myself. I was seeking for employment; at the end of that time I obtained it, and had almost forgotten the taste of liquor; but I found I was only respite, not redeemed. Two months after I entered upon the duties of my situation the appetite was renewed and I felt a craving for liquor. After two months, in which I indulged in the use of all kinds of stimulants, I finally settled on whiskey as being the most powerful of them all. I then went headlong back to my old career. I began with one glass a day, and for the six months, ending the last day of November, my daily quantum was thirty or forty glasses, and I could no more have avoided putting into my body this daily supply, than I could have walked over a burning ploughshare without scorching my feet. If I tried to break through the habit, a few hour's deprivation of the stimulant gave rise to a physical and mental prostration that no pen can adequately depict, no language convey." A horror unspeakable, a woe unutterable takes possession of the entire being; a clammy perspiration bedews the surface, the eye is stony and hard, the tremulous hand uncertain, the mind restless, the heart as ashes, the bones marrowless.

To the liquor drinker, when deprived of his stimulant, there is nothing that life can bestow, not a blessing that man can receive, which could not come to him unheeded, undesired, and be a curse to him. There is but one all absorbing want, one engrossing desire, his whole being has but one tongue—that tongue syllables but one word—Whiskey. He is its slave. Place before him all that ever dazzled the sons of Adam since the

fall—lay sceptres at his feet—and all the prizes that vaulting ambition ever bled and died for ; unfold the treasures of the earth and call them his—wearily, wearily will he turn aside, and barter them all for a little more rum. And oh ! the vain, vain attempt to break this bondage, the labor worse than useless—a minnow struggling to break the toils that bind a Triton. I pass over all the horrible physical accompaniments, as I have seen them in many cases, that accumulate after some hours deprivation of the stimulant, when it has been long indulged in, it being borne in mind that it occurs sooner or later according to the constitution it contends against. The slightest mental or physical exertion is almost a matter of absolute impossibility, and the victim is no more capable of controlling, under this condition, the cravings of the system for its stimulant, for the time, by any exertion of the *will*, than he can control the dilation and contraction of the pupils of the eye, under the varying conditions of light and darkness. A time arrives when the will is killed absolutely and literally ; and at this period you might, with as much reason, tell a man to *will* not to die under a mortal disease, as to resist the call that his whole being makes, *in spite of him*, for the stimulus on which it has been so long depending for carrying on its work. When you can with reason ask a man to ascrate his lungs with his head submerged in water, then, and not till then, speak to a confirmed drinker, while under this influence, of “exerting his will ;” reproach him with want of “determination,” and complacently say to him, “cast it from you and bear the torture for a time ;” tell the Ethiopian to change his skin, but do not mock the misery and increase the agony of a man who has taken this stimulus for years, by talking to him of “will”. Let it be understood that after a certain time, (varying of course, according to the capability of physical resistance, mode of life, &c., of the individual), the craving for liquor is beyond the domain of the will ; the desire for it is automatic—is entirely involuntary ; they believe there is a physical necessity for it. And it is just here that the magnitude of the evil, and the horrible thralldom is centred. This bodily necessity is quite a distinct and separate feeling from that which might be termed the mental call, which dominates certain temperaments, when liquor is first indulged in. So intolerant is the system under a protracted deprivation, that I know of many suicides resulting therefrom. The awful mystery of death which they rashly solved, had no terrors for them equal to a life without liquor, and in the morning I have found them hanging by the neck, dead in their cells, glad to get “anywhere, anywhere, out of the world.” I have seen others tear their hair, dig their nails into their flesh, and with a ghastly look of despair, and a face from which all hope had fled, implore for it as if for more than life. Having digressed somewhat from the narrative of the prisoner alluded to, I will now return to what he said : “I attained at last to taking at least thirty or forty glasses a day ; it became my bane and antidote. Finally, even forty glasses brought no perceptible increase to the vitality of which the body seemed deprived during its absence. It stimulated me to not one-tenth of the degree to which a single glass had done at the commencement. Still I had to keep storing it upon my body, trying to

extract vivacity, energy, life itself, from that which was killing me; and grudgingly it gave it. To go on was death, horrible and debased; to stop was worse than death, worse than the tortures of the damned. I tried hard to free myself, tried again and again, but never could at any time sustain the struggle for more than four or five days at the utmost. At the end of that time I had to yield to my tormentor—yield, broken, baffled, and dismayed—yielded but to go through the whole struggle again; forced to poison myself, forced with my own hand to shut the door against hope. Under the stimulating effects I was ever *about* to do, and yet never achieving. I was, in truth, a walking shadow. I came at last to feel that it was but tracing characters in the sand—that the waves would soon pass over them and me, and ‘no man see me more.’ With an almost superhuman effort, I roused myself to the determination of doing something—of making one last effort, and if I failed, to look my fate in the face. I will not tell you of my struggles, nor speak of the hope I had to sustain me, and which shone upon me whenever the face of my Maker seemed turned away. Let it suffice that I fought a desperate fight; again and again I recoiled, baffled and disheartened. But I persevered, and I have come out of the *melée*, bruised and broken, it may be, but conquering. One month I waged the fight, and it has now been over six months since I tasted the accursed stuff. Now I am free, and the demon is behind me.”

Let no man rashly cast a stone at the intemperate, and think of him as a being unworthy of sympathy. If he is not to be envied, (as God knows he is not) let him not be too much condemned. I refer now more particularly to the ordinary cases of educated and intellectual men in the world, and I assert, as the result of my observation, that could there be a realization of all the aspirations, all the longings after the pure, the good, the noble, that fill the mind and pervade the heart of a cultivated and refined man, who can yet continue to drink liquor, he would, indeed, be the paragon of animals. And I go farther, and say, that given a man of cultivated mind, high moral sentiment, and a keen sense of intellectual enjoyment, blended with strong imaginative powers, and just in proportion as he is so endowed, will the difficulty be greater in weaning himself from it. I mean, of course, before the will is conquered. When that takes place he is, of necessity, as powerless as any other victim, and his craving for it is as automatic as that of any other slave to strong drink. This it is to be a drunkard, and the boldest may well quail at the picture, drawn not by the hand of fancy, but by one who has witnessed all its horrors, and heard them described by the victims to the full, and who has found that the staff on which they leaned has proved a spear which has well nigh pierced them to the heart. Who, knowing this, will fail to raise his voice against forming a compact with the demon, the penalty for which transcends in horror all the legends ever penned of souls sold to the devil. Let no man believe he will escape; the bond matures at last. He finds himself in the toils and the siren sings no more; the stimulant must be taken still, but its sweetness has flown. Well may one thus trapped in this hell upon earth, apply the words described by Danté, as written over the gates of hell, in eternity, “Abandon hope, all ye who enter here!”

The whole number of cases of *mania-a-potu* in our Prison within the year, were ninety, eleven of whom have died. There was one of them who recovered, but whose sufferings were so great that he had not slept for eight days, although he had received heavy doses of morphine, and he could not even then be got to sleep until the Physician gave him seventeen ounces of laudanum, which he took in a single day.

The total number of persons committed in consequence of drunkenness, during the same period, was 12,833.

I may say in this connection, that my observation has convinced me that intemperance, which is the direct cause of more than three-fourths of all crime committed, is by no means as prevalent among the colored population of our city, proportionally, as it is among the whites. We would again allude to what we have previously stated, by saying, that crime amongst this class of people has greatly diminished during the last few years, while on the contrary, it has increased during the same period among the whites. By a reference to the following statement, it will be seen that, during the first five years, the number of whites convicted was one thousand six hundred and eighty-six (1,686), and during the last five years, the number of whites convicted was one thousand eight hundred and eighteen (1,818), showing an increase of one hundred and thirty-two (132). During the first five years the number of blacks convicted was four hundred and eighty-seven (487). During the last five years the number of blacks convicted was four hundred and four (404), showing a decrease of eighty-three (83).

TABLE.

Showing the number of persons committed to the Philadelphia County Prison for drunkenness, upon the charges of vagrancy, disorderly conduct, and breaches of the peace, annually, since January 1st, 1847, classified according to sex and color.

YEAR.	WHITE		COLORED.		TOTALS.
	MALES.	FEMALES.	MALES.	FEMALES.	
1847	1275	632	317	528	2,752
1848	1437	519	225	339	2,520
1849	1740	709	276	382	3,107
1850	2513	1119	379	546	4,557
1851	4012	1590	534	782	6,918
1852	4088	1585	530	645	6,848
1853	4365	1866	486	644	7,361
1854	3735	1559	316	338	5,948
1855	5791	2100	335	351	8,577
1856	5529	2098	344	325	8,296
1857	4806	1859	365	362	7,392
1858	4740	1818	293	298	7,149
1859	6697	2758	439	427	10,321
1860	9599	3937	513	497	14,541
1861	6979	3341	452	461	11,233
1862	5002	3650	531	472	9,655
1863	6407	4181	547	531	11,666
1864	4930	3519	261	411	9,121
1865	6077	3119	311	408	9,915
1866	8302	3397	609	347	12,655
1867	8169	3619	559	350	12,697
1868	6035	2518	425	242	9,220
Totals.	112,228	51,493	9,047	9,686	182,449

Among the cases released :

NUMBER 1.—Was that of a woman who had been committed to prison upon the charge of abuse. Her offence consisted in finding fault with the prosecutor for being instrumental in causing the death of her, the prisoner's husband. He had been

badly beaten on a Monday, and was kept concealed in the prosecutor's house until the following Saturday without necessary food, nursing, or medical attendance. The prisoner went repeatedly to the house and asked to see him, but was constantly told by the prosecutor that he was not there. On the following Saturday, when he was found to be in a dying condition, he was removed to the hospital, where he died in consequence of the injuries received, and the want of timely medical treatment. When the woman learned that her husband was dead, she became much excited, and blamed the prosecutor for secreting him and preventing her from seeing him before he died. For this she was arrested and committed to prison upon the charge of abuse. As the Agent was present at the hearing and heard all the evidence, he procured her immediate discharge from prison, which enabled her to attend to the interment of her murdered husband, and have those persons prosecuted who had caused his death and her imprisonment.

NUMBER 2.—Was the case of a boy who had been committed to prison upon a charge of larceny. The Agent saw that a nol. pros. was entered in Court with the consent of the District Attorney, upon the payment of \$3 50, the usual Court charges for the Clerk and District Attorney. The magistrate had asked \$10 for merely recommending the settlement of the case. The boy's mother being poor, and unable to pay this amount, the Agent had the case settled without the magistrate's recommendation, and without paying him anything. This was an interesting case. The boy's father was a barber, doing a good business and maintaining his family comfortably, until he was attacked by consumption. When he was unable to work, his customers agreed that his wife should shave them in his stead, and thus, with the aid of her son, she managed to support herself, her sick husband, and her children. She was very grateful to the Agent for promptly procuring the boy's release at but little expense. Her son got into difficulty by conversing with a boy who had stolen a piece of flannel, for which they were both arrested. As the prisoner's previous character had been good, there was no difficulty in having his case settled.

NUMBER 3 —Was the case of a woman who had been committed to prison, charged with arson. An investigation by the Agent showed that she was entirely innocent of that offence. She was at home with her children and engaged in ironing her clothing, when her drunken husband, with a lighted pipe in his mouth, came towards her to strike her. The fire from the pipe fell upon the clothing and set fire to it. She immediately put out the fire and prevented her clothing from being burnt up. While she was doing this, her husband struck her, and her little daughter becoming alarmed on her mother's account, cried, "murder!" The police arrived and arrested the mother instead of the father, the really guilty party, and the cause of all the mischief. This poor woman was then committed to prison with her infant in her arms, and her little daughter was left to the mercy of the neighbors. The father immediately sold all the furniture, and even the clothing of his wife, and commenced spending the money for rum. The Agent communicated the facts to the Fire Marshal, and the District Attorney, upon which her case was ignored with the consent of the prosecutor, and she was discharged. The Agent gave her some money to assist her in her distressed and homeless condition.

NUMBER 4.—Was the case of a man who had been committed upon the charge of a misdemeanor in a neighboring county. His offence consisted in retaining money arising from the sale of some picture frames, which money he should have given to his employer. For this he was arrested in Philadelphia and committed to prison, where he remained for three months without any action being taken in his case. He was then tried and acquitted and his discharge sent to the prison in the care of a person who was interested in his case. This person was told by the Deputy Superintendent that there was a bill against the prisoner amounting to forty dollars for his board while in prison. The person went away promising to return the next day to attend to the settlement of the bill, and the prisoner's release. He did not return, and the prisoner remained there two months longer, in all five months, during which he was unnecessarily and improperly imprisoned at the cost of the tax-payers of Phila-

delphia, simply to gratify some one in a neighboring county who felt little or no interest in the case. Under this state of things, the Agent obtained a writ of habeas corpus, from Judge Allison, which was made returnable on the following day, when the prisoner was discharged with the consent of the District Attorney, who said that the man had been improperly detained.

NUMBER 5.—Was an important case of unusual interest. It was that of an intelligent woman, of prepossessing appearance, who had been committed to Prison, charged with bigamy. Her husband had deserted her, leaving her and their interesting little child, unprovided for, during a period of six years. He enlisted as a United States marine, under a fictitious name, and owing to this, she could learn nothing of him, or his whereabouts. During this long period he never wrote or contributed to the support of herself or their child. After he had been absent for four years, she heard that he was dead. She afterwards married a worthy industrious man, a baker by trade, who was possessed of some property. This person was prospering in his business, in a new neighborhood in the southwestern part of the city, and this was mainly owing to the good management of his wife, who attended to his store and to his money matters, while he was at work in the bakery. In this way they were getting along very happily and comfortably, with their interesting little baby, a few months old, when the long-lost first husband suddenly and unexpectedly returned and claimed his wife and child, who had been so well cared for by the second husband.

The woman refused to go with him, owing to his desertion of herself and child for six years. He then caused her to be arrested and committed to prison, upon a charge of bigamy. The baker refused to allow her to take her baby to prison with her, because, as he said, if she was another man's wife, the baby was his child, and no one else should have it. The Agent saw her, for the first time, in prison. She was in great distress of mind, and suffering intense pain, owing to the condition of her breasts for want of her infant. The Agent immediately went to the second husband, and insisted upon his doing one of two things, either to send her infant to her, or to bail her out, so that she might have access to her child. He replied that he was afraid to do either. If he sent the baby to her he might not be able to get it back, and if he bailed her out, he might be prosecuted for tampering with another man's wife.

The Agent finally persuaded him to procure bail for her, and to allow her and the baby to remain at the house of a friend until the Agent could see the first husband, and ascertain how the difficulty could be adjusted. He was seen, and made to understand that he had acted a most unmanly part towards his wife and child, in deserting them for six years; he was told that this neglect might have driven them to the Almshouse, had not the industry of his wife, and her love for his offspring, induced her to struggle along through great hardship, until she bettered her condition by marrying the baker, who had not only provided for her and his own child, but also for that which he (the first husband) claimed, but which he had so shamefully abandoned. The Agent informed him, that in view of these things, it ill became him, at this late day, to return home and sow the seeds of discord, as his wife and child did not desire to live with him or have any further to do with him. After reflection, he consented that the baker might have his wife, and he would not oppose her obtaining a divorce from him, provided he might be allowed to have his child, an intelligent little boy, whom he promised to provide for and educate. To this they agreed, and all the parties appeared before the Magistrate, where an amicable arrangement was entered into, and reduced to writing by the Magistrate and signed by the parties, preparatory to an application for a divorce. The mother is of the opinion that it will not be long, before he will give the child to her.

Thus the whole difficulty was settled through the interference of the Agent, without the expenditure of any money except a few dollars paid to the Magistrate.

NUMBER 6.—Was the case of a young woman who was accused of stealing a watch-chain from a woman who had employed her as a servant. Upon investigation, the Agent discovered that the prisoner was entirely innocent, and that the chain had been stolen by the sister of the prosecutrix, who had also stolen some clothing be-

longing to the prisoner. After the Magistrate was informed of these facts, the Agent had no difficulty in obtaining the discharge of the prisoner. This case was the more distressing from the fact that the prisoner was separated from her babe, who was then in the care of other persons, who were unwilling to keep it.

NUMBER 7.—Was the case of a woman who had been committed to prison upon a charge of larceny, being accused of stealing some underclothing of the value of twelve dollars (\$12), of which she said that she was not guilty. It appeared, upon investigation, that she was innocent, and that the prosecutrix and three others, had robbed her of \$30, for which she had caused them to be prosecuted. They entered bail, and then one of the party brought the charge against her, under which she was imprisoned. As this was evidently done to prevent her from following up her prosecution against them, the Agent saw the Alderman and the prosecutrix, had the case adjusted, and the prisoner discharged.

NUMBER 8.—Was the case of a poor woman who had been committed to prison, with her infant in her arms, upon the charge of assault. She was also falsely accused of pushing down the gate of the premises where she lived. Upon investigation, the Agent discovered that she had merely effected an entrance to her premises, as she had a right to do. As the baby, which was with her in prison, was sick, and as she had another little child at home, without care, the Alderman consented to her release from prison.

NUMBER 9.—Was the case of a poor woman who had been wrongfully imprisoned. She had four little children depending upon her for support. One of her neighbors came into her house to see her little boy, who was sick. This person, who was drunk at the time, said that the child was suffering from disease in the back. The mother thought otherwise, and this difference of opinion led to hard names and insults, upon which the drunken woman charged the other with assault. The Court ordered her discharge, Judge Peirce taking the Agent for bail, and the woman returned home to take charge of her sick child.

NUMBER 10.—Was the case of a respectable old man, who had been unjustly imprisoned upon the charge of misdemeanor. He had got into the difficulty by renting a room in his house to an intemperate woman. The latter took offence at the prisoner's wife, because she objected to her ironing in the prisoner's kitchen on the Sabbath, and began a regular system of annoyance. In order to end this, they moved away part of their effects, and when the prisoner returned to obtain the remainder of his property the door was fastened against him, and he was under the necessity of forcing it open. For this he was imprisoned at the instance of this troublesome woman, who had succeeded in driving them from their own premises, for which they were then paying rent. As he had a right to force open his own door when he found it fastened against him, the Agent saw the Alderman, and obtained his release from prison.

NUMBER 11.—Was the case of an inoffensive colored boy, eight years of age, who had been imprisoned upon a charge of stealing four cents. He went into a shop to buy a cake, and saw four cents lying upon the counter. No one being present, he was tempted to take them, but, just as he was leaving, the woman who kept the shop saw him and had him arrested. As she insisted upon prosecuting him, the Agent caused the case to be immediately returned to the Court, by the Magistrate. The bill being drawn, the prosecutrix appeared before the Grand Jury, and, strange to say, a true bill was found; but when the case was brought before a jury in Court, the boy was acquitted, and the costs of the trial, amounting to sixteen dollars and fifty cents, (\$16 50), were put upon the County, to be paid by the tax-payers. All this was in consequence of the prosecutrix's having neglected to put her money into the drawer, instead of leaving it upon the counter, a strong temptation to the child.

NUMBER 12.—Was the case of a poor woman who was imprisoned upon the charge of abuse. She had two children sick with the whooping cough. The Agent obtained her discharge from the Court, with the consent of Deputy District Attorney. Her sister was also committed to prison upon the same charge, by the same Alderman. Both were imprisoned at the instance of the Constable at this Alderman's office. One of these woman had been seduced by this officer, as she said, and had a child by him. He desired her to keep quiet and say nothing about it until his wife died, after which he would marry her, if she kept quiet. She complied with his request. Shortly afterwards his wife died and the woman then insisted upon his marrying her, but he told her that he could not, as he had just married another woman. Upon being informed of this, she became very angry, and blamed him for deserting her and her child, and marrying another woman. She then threatened to proceed against him for the support of her child, and it was for this, that he caused her and her sister to be imprisoned on the charge of abuse. She had the baby with her in prison. Her sister was taken from her two children, who needed a mother's care, being sick with whooping cough. All this was done by an Alderman for whom the prosecutor is Constable.

NUMBER 13.—Was the case of a colored man, who was most unjustly imprisoned. He and his wife got into the difficulty by kindly affording a poor woman shelter for a day or two in their house. When they discovered that she was addicted to intemperance, they desired her to leave their premises at once; on her refusing to go, they threatened to put her into the street, and for this she charged them with assault and threats. The Alderman told them that they must pay nine dollars (\$9) costs, or go to prison. They said they could not do this, as they had no money. The Alderman then agreed to take six dollars (\$6) and allow the wife to go and raise the money by pawning her clothing. She was to return by three o'clock, or else be committed to prison as her husband had been. She pawned her blanket for sixty-two cents, went to the Alderman and told him that that was all that she could raise. She says that he then gave her five days more to raise the money, and that if she did not do so by that time, she would be committed to prison. She came down to the prison with her infant in her arms, and informed the Agent of her helpless and penniless condition, in consequence of her husband's being in prison. The Agent told her that he would relieve her from that trouble by becoming bail for her husband's appearance at Court. When the Agent informed Judge Peirce of all the facts of the case, he sanctioned the release of the prisoner, and recommended the Agent to assist in prosecuting the Magistrate for false imprisonment. The Judge is of opinion that the time had come when an example should be made by the conviction of some one of these oppressive Magistrates.

NUMBER 14.—Was the case of a girl only thirteen years of age. Her father died on the day when she was arrested and committed to prison. At the same time her mother was lying in bed sick. A woman unknown to the prisoner, came into the house at the time of her father's death, bringing a pair of shoes with her. These shoes, by some means, disappeared; the woman accused the girl of stealing them, and had her arrested and committed to prison upon the charge of larceny. The Agent, upon investigation, found that there was no evidence to connect the child with the larceny of the shoes, and obtained her discharge, from the Recorder, by becoming bail for her appearance at Court, if necessary.

NUMBER 15.—Was another case of a young girl committed to prison upon the charge of larceny; being accused of taking a pair of corsets from the line in the yard. The prosecutrix was a young girl who lived in the same house, and, after causing the arrest of the prisoner, left for parts unknown. Upon the Agent's investigation of the case, it was shown that the article which she was accused of stealing, had been given to her by her mother. The Agent procured her release, from the Alderman, by becoming bail for her appearance at Court.

NUMBER 16.—Was the case of a poor woman, who was committed to prison upon the charge of misdemeanor. She had five children depending upon her for support, one of whom, an infant, only a few weeks old, was in prison with her, and another was in a dying condition at home. The Agent saw the Alderman, and procured her release.

NUMBER 17.—Was a remarkable case, that of a man and his wife unlawfully imprisoned upon the charge of forcible entry. The Agent went to the Alderman, and secured their discharge by causing bail to be entered for their appearance at Court, if necessary. They were respectable and industrious persons, of good character, and had a little child depending upon them for support. They had entered into a written agreement to rent a room, the rent of which was to be paid weekly in advance. After they had occupied the premises for several weeks, they concluded to leave, and notified their landlady to that effect upon the very day upon which the week which had been paid for expired. Notwithstanding they had given her this notice, she went to a Magistrate and sued and had them imprisoned. All this was done in violation of law, and without a shadow of reason for her doing so. The prisoners owed her nothing and had done no wrong. The prosecutrix insisted upon their paying her another week's rent. As they refused to do this, intending to leave at once, they were immediately arrested and taken to prison. A sympathizing neighbor took charge of their infant child, and then came and informed the Agent of the outrage. When he interfered the Magistrate seemed to be heartily ashamed of the whole affair, and said, "it was not my wish that they should be sent to prison." It is difficult to conceive how a greater outrage than this could have been committed upon two unoffending citizens, who had done no wrong. Judge Brewster advised the Agent to inform the newspaper editors of the outrage, and bring the influence of the press and of public opinion to bear against the Magistrate who had done this wrong.

NUMBER 18.—Was that of a truly distressing character. It was the case of an industrious and poor, but respectable woman. Her husband had gone into the country to seek employment, but had not been able to earn enough for the support of his family. In consequence of this, his wife was compelled to seek employment at weaving in a woolen factory. She had not been at work long, before she was accused of stealing about ten pounds of woolen yarn. For this she was arrested, committed to prison, and separated from her helpless family; her husband being absent from the city. Being on the eve of confinement, the excitement and alarm occasioned by her imprisonment brought on premature pains and suffering, which were indescribable. The Agent immediately effected her release, caused her to be taken through the debtors' apartment and let out of the private door of the female department, to prevent unnecessary suffering in walking the distance to the prison gate. She was placed in a car and arrived home safely, in time to give birth to her infant in her own house, where she could receive the comforts of a home, instead of in a prison cell. She was released from prison about nine o'clock in the evening, by the Agent's becoming bail for her; all of which was done within a few hours after Inspector Chandler had called the Agent's attention to her suffering condition. As there was no evidence that she had stolen the yarn, the Agent succeeded in having a *nolle prosequi* entered by the District Attorney at the recommendation of the Alderman and the prosecutor. The woolen yarn which she was accused of stealing, was found at her feet, where she was at work in the factory, and was exactly where it should have been to be used by her for her employer's benefit. She seemed truly grateful for the timely assistance afforded her. Her aged mother has since called upon the Agent at his residence, paid the Magistrate's costs, amounting to two dollars, and thanked him for his friendly interference in favor of her daughter. This case was not only discreditable to the prosecutor and the Magistrate, but was a gross outrage upon humanity.

NUMBER 19.—Was the case of a girl about sixteen years of age, who was most unjustly imprisoned. She was a servant in the family of the man who was her prosecutor. He had a quarrel with a woman who was his next door neighbor;

struck her and injured her face, for which offence she prosecuted him. The girl witnessed this transaction. Her employer endeavored to persuade her to testify in his behalf at Court, that the woman was intoxicated at the time, and had fallen down, striking her head against the door and thus injured herself, and had not been struck by him, as alleged. As the girl positively refused to do this and said that she would not lie for him or any one else, the prosecutor immediately accused her of stealing a five dollar note from him. He said that he had laid it upon a mantel-piece for the purpose of seeing whether she would take it; that he watched her and saw her take it, and that he immediately took it from her and had her arrested and committed to prison. His story, however, was not believed by his neighbors or any one else who knew the girl. Upon investigation, the Agent found that the prosecutor could not identify the particular note which he had accused her of stealing; neither did he attempt to do so at the hearing before the Alderman. The girl said that she was innocent and that this charge had been brought against her for the purpose of frightening her and compelling her to swear falsely at the trial of the neighbor. The Agent, believing her statement, went to the prosecutor and prevailed upon him to go to the Magistrate and consent to the girl's release from prison. As soon as she was released she went to a Magistrate and prosecuted her prosecutor for false imprisonment and perjury. The Agent supplied her with counsel, who caused her prosecutor to be convicted in Court, and sentenced to four months imprisonment, for these offences.

NUMBER 20.—Was the case of a poor woman who had been committed to prison upon a charge of assault and battery. As she had three little children depending upon her for support, the Agent supplied her with counsel, and saw that her case was properly defended. The jury found her guilty, but recommended her to mercy. The Judge then disposed of the case by requiring her to pay the costs, but subsequently released her from the costs upon the Agent's informing him of her inability to pay. This case had been previously settled between the prosecutor and the prisoner, and she had been let off by the Agent's becoming bail for her. This was done with the understanding that she was to pay three dollars and fifty cents to the Alderman by the following Saturday. As she had been sick and was unable to pay this sum to the Magistrate, he returned the case to the Court and the prosecutor was obliged to appear against her. The final result was the putting of the costs in Court, amounting to sixteen dollars and fifty cents costs upon the County, as she was unable to pay them. All this would have been avoided if she had been able to pay three dollars and fifty cents to the Alderman.

NUMBER 21.—Was the case of a motherly woman, who was imprisoned by her husband upon the charge of assault and battery upon him. She was in great distress of mind respecting her little children who needed a mother's care. As her person had been shamefully beaten black and blue by her husband, who was her prosecutor, the Agent became bail for her and saw that she was released and permitted to return home to take charge of her little children. Her neighbors spoke well of her and said that her husband was to blame for bringing liquor into the house and giving it to her to drink. She took a solemn oath before Inspector Chandler that she would not drink any more.

NUMBER 22.—Was a remarkable case of high-handed oppression. It was that of a poor, illiterate, friendless colored girl, who had been imprisoned upon a charge of slander. Her prosecutors were a colored man and his wife. Their child struck a white child in the presence of the prisoner, who said, "Quit striking that child, you little black devil." The Mother said, "Whom do you call a black devil?" The girl replied, "You, you black bitch, you ought to know better than to allow your child to strike a white child." A war of words then began between the parties, each trying to say the worst of the other. This occurred in the presence of many witnesses, in a court thickly populated with the dregs of society; with whites and blacks living together promiscuously, without any real claim to respectability, in one of the most degraded parts of the city, Seventh and St. Mary street, a district mainly inhabited

by thieves and prostitutes, whose chief associates are dog-catchers and cleaners of cess-pools. The colored man and his wife went to a lawyer and complained that the girl had used words derogatory to their character, particularly the words "black ——" For this they sought redress. The counsel, after receiving his fee, commenced a suit for damages in the Supreme Court of Pennsylvania. A writ of *capias* for slander was issued and placed in the hands of the Sheriff, who arrested the girl and lodged her in prison, whither she was brought poorly clad and half naked, without a bonnet on her head and scarcely any shoes upon her feet. As she was penniless and friendless, and unable to enter bail, and as the Supreme Court had adjourned, she had to remain in prison at the expense of the County, from the 4th of June until the 8th of September, when the Court met again, a period of more than three months; all of which unnecessary punishment she received for thoughtless words spoken in a moment of excitement, and for which heavy damages were claimed at the hands of the Supreme Court, in default of paying which (if the plaintiffs had been successful in their suit) she might have remained in prison, she being unable to pay. When the Court met in the fall, the Agent presented the facts of the case to Judge Sharswood, who took the Agent for bail, which was done with the understanding and consent of the prosecutors' counsel that this was to be the end of the case. Her discharge was then given by the Clerk of the Court, who required one dollar to be paid for costs. The prisoner being unable to pay this, the Agent paid it for her. The prisoner was then released without being required to pay the five thousand dollars claimed for damages, or even five dollars, which was the last and lowest sum named by the plaintiffs that they were willing to take. One of the plaintiffs told the Agent that they had paid fifteen dollars to their lawyer and wished to get some of it back again, if they could; but after an effort, lasting three long months, it had been given up as a failure. This whole affair was not only a disgrace to justice, but an imposition upon the Supreme Court.

NUMBER 23.—Was the case of a man who had been illegally imprisoned for a debt, contracted for the board of his wife and child. As imprisonment for debt is abolished, and as he was imprisoned by the authority of the Guardians of the Poor of the late Townships of Oxford and Lower Dublin, and as his wife and child were both dead and buried long before he was imprisoned, the Agent applied to the Solicitor for the Guardians of the Poor for his discharge from prison, which application was successful. The prisoner was desirous of paying his indebtedness as soon as he could obtain employment. Owing to the sickness and death of his wife and child he had become embarrassed in his finances.

NUMBER 24.—Was the case of a man who had been committed to prison by mistake upon a charge of larceny, instead of assault and battery, as the Magistrate intended. The Agent obtained a transcript of the case, and called Judge Allison's attention to the Magistrate's mistake, which had caused the man to be imprisoned for eight weeks. The Court ordered him to be discharged.

NUMBER 25.—Was the case of three respectable persons, unjustly imprisoned upon the testimony of a drunken woman, who was their landlady. Two of them were a man and his wife, who occupied rooms in the prosecutor's house. The wife was taken sick, and sent for her sister to stay with her during her sickness. This gave offence to the landlady, who quarrelled with the sister, and told her that she had no right to pass through her house. On her saying that she had a right, the landlady struck her. The sick woman and her husband interfered for her protection. They charged the landlady with assault and battery. She obtained bail and charged them with assault and battery. As they could not obtain bail, they were committed to prison. As the women were greatly distressed, and one of them had just left a bed of sickness, the Agent interfered in their behalf, and obtained the consent of the prosecutor to their release, and the prisoners agreed to withdraw the charge against her. Thus four law-suits were settled soon after the parties were committed to prison, and the expense, vexation and trouble of attending Court were saved by the interference of the Agent.

NUMBER 26.—Was the case of a poor woman who had been committed to prison upon the charge of assault and battery. She was at the Court House as a prosecutor and witness against some persons whom she had charged with assault and battery, when she was arrested by an officer upon the above charge; which, she said, was done to prevent her from prosecuting the parties and to defeat the ends of justice. The Agent called Judge Allison's attention to her case, who consented to her release by taking the Agent for bail. This enabled her to come into Court and testify against her prosecutors, and thus they were prevented from defeating the ends of justice.

NUMBER 27.—Was that of a man who was wrongfully accused by his brother-in-law of stealing his watch, which was of but little value. The prosecutor said that he was very drunk at the time, and was lying upon a cellar-door in the street, when the prisoner and another person came and robbed him of his watch. As he had accused two persons of taking it, and as there was no proof that either of them had taken it, and as the prisoner was a respectable man, of good character, the Agent obtained a writ of *habeas corpus*, supplied him with counsel and saw that he was discharged from prison.

NUMBER 28.—Was the case of a poor but respectable woman, who had been wrongfully imprisoned at the instance of a drunken woman who came to her door and made a disturbance. The prisoner desired her to go away, as she did not wish to hear the noise. For which the drunken woman went to a Magistrate and had her committed to prison upon the charge of assault. She had three little children depending upon her for support, one of them being an infant at the breast. The Agent obtained her discharge, from the Clerk of the Court, with the consent of Judge Ludlow, who took the Agent for bail for her appearance, if necessary.

NUMBER 29.—Was the case of a man who had been imprisoned upon a false charge of stealing ten cents. The Agent and the prosecutor went to the office of the District Attorney, where the prosecutor stated that he had wrongfully accused the prisoner of having robbed him, as he had since found the money in his own pocket. He admitted that he had been drunk at the time when he made the charge. After this statement, the bill was ignored and the prisoner discharged.

NUMBER 30.—Was the case of a man and his wife who had been wrongfully imprisoned upon a charge of larceny, of which offence they were not guilty. The Agent went to the Magistrate and obtained their discharge, on condition that they would move away from the premises at once. A little child of their's, who had been badly scalded, was left entirely without any one to attend to it, owing to the imprisonment of its parents. They had evidently been imprisoned to compel them to vacate the house, as they were too poor to pay the rent.

NUMBER 31.—Was the case of a young man, respectably connected, who had been committed to prison upon a charge of stealing a rope. While there, another person of the same name was imprisoned for stealing a wheelbarrow, when the last named person was sent for to be tried for stealing the wheelbarrow, the jailor, by mistake, sent to Court the first named, who had been committed for stealing the rope. As his hearing was not very good, when the crier of the Court asked him if he was guilty of stealing the wheelbarrow, he said "Yes." As the Judge was about to sentence him for this offence the mistake was discovered, and the Agent found, upon investigation, that his case, for the larceny of the rope, had not yet been returned to Court. The Agent obtained the return from the Magistrate and saw the prosecutor, who did not desire to prosecute, as the rope had been returned to him. As the prisoner had been intoxicated at the time when he committed the theft, and as it was the first time that he had been accused of any offence, the Agent recommended to the Court and to the District Attorney that his case should be ignored, and the Agent should be allowed to have him sent to sea. This was agreed to, the prisoner was released, and was shipped accordingly.

NUMBER 32.—Was the case of a poor woman who had been committed to prison with her little child, upon the charge of arson, of which offence she said that she was not guilty. Upon investigation by the Agent, it did not appear that she was guilty. She said that she had been confined to her bed by a cancer in her leg, which occasioned intense suffering. Her little child, at this time, was cross and troublesome, and she gave it a cent to quiet it; that the child dropped the cent which rolled into a rat hole in which were some loose pieces of paper. The child took a light to look into the hole for its cent, and accidentally set fire to the paper. The child screamed and an alarm of fire was raised. The fire was extinguished with little or no damage to the property. As it was supposed that the mother had caused the fire, she was arrested and committed to prison with her child, which was about three and a half years old. She had no insurance upon the property, and, therefore, could have had no motive for setting fire to it, but, on the contrary, would have deprived herself of a home and would have lost her furniture. The Agent informed the District Attorney and the Fire Marshal of these facts, when they at once consented that the Magistrate might dismiss the case and discharge the woman, with her child, from imprisonment.

NUMBER 33.—Was the case of a poor youth, nineteen years of age, who is a cripple, feeble minded and subject to fits of epilepsy. Having fallen down in a fit in the street, he was picked up by a policeman, who caused him to be committed for a misdemeanor. The Agent went to the Magistrate, procured his discharge and entrusted him to his sister, who took him from the prison.

NUMBER 34.—Was that of a young colored girl, who was accused of the larceny of a quilt, the property of a colored man with whom she had been living. It appeared that this man had not supplied her even with the necessities of life, so that she was compelled, as she said, in order to meet her wants, to pawn the quilt, for which she received seventy-five cents. The Agent saw the Alderman and explained the case to him, upon which she was discharged.

NUMBER 35.—Was the case of a colored man, of good character. He was sick, feeble and without work. A wife and two children depended upon him for support. As he and his family were in a suffering condition, he went from door to door, soliciting subscriptions, which he obtained by misrepresenting the purpose for which the money was collected. A person who had subscribed twenty-five cents caused him to be arrested and imprisoned. As it did not appear that he had collected more than a few dollars in this way, and as some of our most influential citizens were willing to come forward and testify to his previous good character, the Agent supplied him with counsel to explain his case to the Court. He was acquitted and allowed to return to his suffering family.

NUMBER 36.—Was rather a remarkable case. It was that of a man who was committed to prison in August, 1867, as a witness for the United States Government, against certain persons who had defrauded the Government in the Bonded Warehouse.

One of these persons was arrested, tried and convicted, upon the prisoner's testimony. The remainder of them had fled for fear of being prosecuted. The efforts of the officers of the law to have these parties arrested and brought to trial, were unsuccessful.

In the meanwhile the witness was kept in prison for a period of eight months. When the Agent discovered that this long confinement was impairing his health, he obtained a certificate from the Physician of the Prison, setting forth his dangerous condition and the probability that he would live only a few days if he was not immediately released. The Agent presented this certificate to Judge Cadwalader, in Court. The Judge directed a writ of *habeas corpus* to be issued returnable at the Prison. The Judge went to the Prison, accompanied by District Attorney Gilpin and other officials. He held his court in the prisoner's cell, when and where the prisoner was ordered to be discharged.

The Agent then took charge of him and endeavored to have him removed from the prison, but his critical condition would not admit of it at that time. The Agent made the necessary arrangements for his admission to the St. Joseph's Hospital and for the meeting of his expenses by the United States Government, District Attorney Gilpin becoming responsible for his support while in that Institution. The next day the Agent saw that he was removed from prison, placed in a carriage, and taken to the Hospital, where he received such attention as secured his recovery from his dangerous condition. When the Agent visited him at the Hospital, his physician expressed the hope that he might now be considered out of danger, and would, very soon recover his health. This timely interference of the Agent in having him removed from the fetid air of a close cell and released from prison, was the means of saving his life, but for which he would certainly have died.

The unjust law under which United States witnesses are imprisoned, should be abolished, as it has been by the laws of Pennsylvania, in the case of witnesses of our State.

NUMBER 37.—Was the case of a poor colored girl who had been committed to prison for perjury. Her offence consisted in testifying against a man who had badly beaten her, for which she caused him to be prosecuted. He immediately commenced a cross-action against her for perjury. As such action could only be legally obtained by two witnesses, the Agent went to the Magistrate and demanded her release, which was granted. She was liberated and enabled to follow up the prosecution against her accuser, who had illegally imprisoned her.

NUMBER 38.—Was that of a man who found in the street a pocket-book, containing forty-one dollars. The loser advertised it, but as the description given in the advertisement did not correspond with the amount found, the finder did not return it, because he believed that it did not belong to the person claiming it. For this he was arrested and committed to prison. The Agent supplied him with counsel and he was acquitted, in Court, of the charge of constructive larceny, of which offence he was not guilty.

NUMBER 39.—Was the case of a kind-hearted woman who had been committed to prison upon the charge of larceny. She had benevolently sheltered a drunken woman and her child in her house. This woman took the shoes off her child's feet and pawned them for twenty-five cents. After purchasing something for herself and child to eat, she spent the remainder of the money for rum, with which she became very much intoxicated. She then accused her benefactress, who had sheltered her and her child, of robbing her of eight dollars. Upon this charge this kind-hearted woman was arrested and imprisoned. Her home, children and property were thus left to the mercy of this drunken woman who was her prosecutrix. There being no truth in the charge, the Agent went to the Alderman and procured her release, in a few hours after she had been imprisoned. By this prompt interference she was permitted to return home and attend to her family and protect her home.

NUMBER 40.—Was the case of a poor woman who had been committed to prison upon the charge of arson. She had three little children and was about to give birth to another. The prosecutrix was an intemperate woman who lived in the same house with her, having a room upon the same floor. While she was intoxicated, some articles of hers took fire, owing to her own carelessness. The neighbors immediately extinguished the fire. She then accused the prisoner of setting fire to her clothing and robbing her of a dress worth fifteen dollars, upon which she was arrested and imprisoned. Upon investigation, the Agent found that she was not only not guilty, but that she was the victim of a malicious prosecution; and even the Magistrate who committed her had doubts of her guilt. After she had been in prison a few days, the Agent obtained her release, the Magistrate and the Fire Marshal going into Court and consenting to it. She was thus permitted to return home and take charge of her family.

NUMBER 41.—Was the case of a woman whose respectability was unquestionable, but who was accused of stealing a hundred dollars. The Agent found, upon investigation, that the charge had been brought against her by an intemperate man, who was in the habit of secreting his money in large sums at times when he was very much intoxicated. Upon becoming sober, he would have no recollection of the places where he had deposited his money, and would not hesitate to accuse any one of stealing it who had visited his house. The prisoner, who was a relative, had gone to the house to see his sick wife. There was no evidence that the prisoner had stolen the money. She had given birth to an infant only a few weeks before, and no opportunity was afforded to her by the officers who arrested her of getting her baby, to take it to prison with her. For these reasons the Agent interfered and procured bail for her, so that she was released from prison. The neighbors, who did not believe that she had taken the money, were of opinion that before long the prosecutor would find it where he had placed it himself.

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NUMBER 42.—Was the case of a child seven years of age, who had been committed to prison by mistake, upon the charge of taking a cake, valued at five cents. Another boy had stolen the cake. A bearing was had in the case of the real culprit, a commitment was written out by the Alderman, and left in the hands of the Lieutenant of the Station-House, with orders to have the boy sent to prison unless his parents came and entered bail for his appearance at court, which they did, and took their boy home with them. The commitment, now of no use, was left at the Station-House with the Sergeant, whose duty it was (in the absence of the Lieutenant) to send prisoners to prison. He saw a little boy upon the premises at the time, thought that the commitment was for him, and immediately arrested him, and sent him to prison, although the name upon the commitment was entirely different from that of the child who was imprisoned. The Agent asked the magistrate to release him, and he denied that he had ever committed him. The Agent immediately saw the prosecutor, who said that he had no charge against this boy. When his parents were found, the mother was sick in bed, and unable to intercede for him; his father was poor and unable to procure bail for him. Upon the request of Inspector Chandler and of the Grand Jury, who saw the boy in prison, the Agent investigated the case, and procured his immediate discharge.

NUMBER 43.—Was the case of a little boy who had been tried and acquitted in court upon the charge of stealing a loaf of bread from a baker's wagon, but by mistake had been taken back to prison, instead of being discharged. The Agent called Judge Peirce's attention to the case, and he was immediately released. The boy and his parents were very poor, and in a distressed condition.

NUMBER 44.—Was the case of a small boy about nine years of age. He was one of several boys who were accused of stealing eight bottles of mineral water and ale from a wagon. The boys who had committed the theft ran away with the stolen property, leaving this little boy to be arrested. There being no evidence that he had taken anything, the prosecutor was willing that the case should be dismissed, and the boy released from prison. The Agent explained the case to the District Attorney, and asked that the bill might be ignored. The application was successful, and the boy was released.

NUMBER 45.—Was that of a boy about seventeen years of age, who was sick, weak, and feeble-minded. He went into the cellar of a store, fell asleep, and remained there all night. When he was found there in the morning, he was arrested and imprisoned upon the charge of intending to commit a larceny. There was no proof that he had taken anything. His worthy, intelligent mother begged for his release. She said that she would "take special charge of him, and prevent him from doing wrong in future." The Aldermen and the prosecutor united in signing a recommendation for a *nolle prosequi*, and the prisoner was released upon the recommendation and interference of the Agent.

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NUMBER 46.—Was the case of a man seventy years of age, who was arrested and imprisoned for selling lemons from his basket, in the street, without a license. His wife was sick and depending upon him for support. The Alderman demanded fifty dollars (\$50) to release him, and would not give a discharge from prison unless the money was paid. The Agent having informed Judge Brewster and the District Attorney of the facts of the case, and of the deplorable condition of the prisoner and his aged wife, who were penniless and unable to pay the fine, they both consented to the discharge of the prisoner by taking the Agent for bail, and the man was released without any cost whatever.

NUMBER 47.—Was the case of an aged man, who is a German, and could speak but little English. He went into a tavern to get something to drink and having pulled his purse out of his pocket to pay for what he had received, some boys who had followed him into the tavern struck his hand and scattered the contents of his purse—six dollars and forty-three cents (\$6 43)—upon the floor. They did this for the purpose of robbing him. When he found that they were taking his money, he undertook to defend himself with his jack-knife. For this he was arrested and committed to prison, upon the charge of assault with a knife. After having drawn the attention of Judge Allison and the District Attorney to his case, the Agent saw that he was discharged by the authority of the Court.

NUMBER 48 ---Was the case of a man who was in prison for a debt of two dollars (\$2). He was from Boston, a sailor by profession, and a stranger in this city. He had borrowed the money, and intended to pay it, but before he had an opportunity to do so he was arrested and imprisoned upon the charge of false pretence. The Agent informed the Court of his illegal imprisonment, after which he was discharged by the authority of Judge Allison.

NUMBER 49.—Was an interesting case of a discharged convict, who had been in prison twenty months, upon the charge of assault and battery. As he was in delicate health, and unable to do hard work, he wrote to his brother to send him forty dollars (\$40), to pay his passage to his brother's house in St. Louis. The money was sent through the Post Office, in a regular registered draft upon Adams' Express Company, in this city. This draft was enclosed in a letter directed to the prisoner, at the prison. When his sentence expired, the Agent accompanied him to the Express Office, for the purpose of identifying him as the person who was entitled to the money which had been sent to him from St. Louis. He was informed that there was no money there for him; that a person of his name had been there, with a regular registered draft, and had drawn the money upon it. The Agent then learned upon investigation, that there had been an untried prisoner in prison of the same name as that of the convict, and that the postman had delivered the letter containing the draft to this untried prisoner, instead of the convict who was entitled to it. The prisoner having been discharged before the convict, an opportunity was thus afforded him to draw the money. When the Agent found him, he had spent the money, and as there was no possibility of getting any of it back again, the Agent accompanied the convict to the Post Office, and endeavored to have them make good the forty dollars (\$40) which had been thus lost to the convict, but both of these parties refused to reimburse the man. The Agent finally succeeded in getting ten (\$10) dollars from the Express Company, which amount your Agent took to the Agent of the Pennsylvania Central Railroad Company, and prevailed upon that gentleman to consent to receive this ten dollars, and give the discharged convict through tickets all the way to St. Louis; which tickets were worth more to him than the money he had lost. By this management he was reimbursed, and two (\$2) dollars were given him by the Agent, all of which caused him to feel very grateful, and he went on his way rejoicing.

NUMBER 50.—Was the case of a discharged convict who was an Englishman. His case seemed to be one of great hardship. He left his vessel to come on shore for

recreation. He took the liberty of putting on without permission, a pair of old boots which belonged to the captain. For this the captain had him arrested, tried, convicted, and sentenced to prison upon the charge of larceny. When this was done, the captain sailed from this port, leaving the prisoner here, a stranger, in a penniless and friendless condition, taking with him the prisoner's chest and clothing, which he had left with the captain for safe keeping. As the captain was an Englishman, the discharged convict was an Englishman, and as it was an English vessel, the Agent supplied him with counsel, and took him to the British Consul for assistance, who took charge of him, and supplied him with a home, until he could send him back to England, where he will have an opportunity to seek redress, all of which will be done at the expense of the British Government, through the British Consul, as requested by your Agent.

NUMBER 51.—Was the case of an industrious and sober man, who not only supported himself and family, but had supported the wife and two children of a relative, for the space of six months, and because he would not continue to support them gratuitously, he was insulted and abused, and then imprisoned upon the charge of abuse and threats, by the prosecutor, whose family had been thus sustained and protected by him. After the incarceration of the prisoner had taken place, one of the prosecutor's children died, and was buried two days after the prisoner had been committed to prison. The Agent saw the Alderman, explained the case, and obtained his discharge.

NUMBER 52.—Was the case of two colored men, who had been committed to prison upon the charge of assault and battery. Applied to the Court for a writ of *habeas corpus*, which was granted by Judge Ludlow. No sooner had this been done, than the magistrate granted their release. They had been employed with four others by the prosecutor, who was also a colored man, to whitewash a railroad depot, at the rate of one dollar and fifty cents (\$1 50) per day, each. When the work was done, the prisoners and the four others who were employed with them, asked the prosecutor, who employed them, for the money which they had earned, and which was lawfully due them. Instead of settling up with them, the prosecutor gave fifty cents to one, and seventy-five cents to another, and so on until he had got through with the whole six. This caused some angry words to pass between the employer and the employees, and resulted in the prosecutor's getting a warrant for the whole number; four of them, however, escaped and were not arrested. The two who were so unfortunate as to be arrested were confined in prison but four days, when the Agent saw that they were released, and enabled to pursue their prosecutor and get their pay.

NUMBER 53.—Was the case of a colored woman, who had been committed to prison upon the charge of assault and battery. For this offence she was convicted and sentenced to pay a fine of one dollar and costs. As she was poor, and unable to pay this, she was remanded to prison with her sick infant in her arms. She had three other children at home uncared for, one of whom was a cripple. As she was poor, and unable to pay the fine and costs, the Agent interceded in her behalf, and induced Judge Ludlow to reconsider her sentence, and authorized her release from prison.

NUMBER 54.—Was the case of a small boy, of about twelve years of age, who was committed to prison upon the charge of larceny, which consisted in his taking a pack of shooting crackers. As it was his first offence, the Agent made application to Court and obtained his discharge by becoming bail for him.

NUMBER 55.—Was that of a poor woman, who had been illegally imprisoned upon a commitment which had no alderman's name signed to it. She was accused of malicious mischief. As the infant which she had with her in prison was sick, and two other children at home were sick with the measles, the Agent applied to the Court for a writ of *habeas corpus* for her and three others, who were improperly imprisoned. The application was successful, and the whole number were discharged,

and the poor woman was permitted to return home to see after her suffering family.

The following three cases have been published before by the Agent, in his Annual Report. He is led to republish them, owing to the fact that numerous persons, who were unable to procure his former publication, owing to the edition's being exhausted, have requested him so to do, they desiring to have them. The first of the cases is an extremely interesting one, and a book founded upon the facts in the case, written by Hon. Robert Dale Owen, is now being published in monthly parts, in Lippincott's Magazine. The author of this work states, that the prisoner said "that his counsel advised him to plead guilty." It should be stated, however, that this advice must have been given at the first glance of the case, before the counsel had had an opportunity to investigate it, and when he had heard only the statement of the defendant, unsupported at the time by any other testimony. The prisoner stated that the advice was benevolently given by Mr. Brewster, to save him (the defendant) from paying a fee in what then seemed to be a hopeless case.

NUMBER 56.—A remarkable case of the conviction and reconsideration of the sentence of an innocent man, on after-discovered testimony, procured by the exertions of the Prison Agent, and that was not known to the prisoner, to his counsel, or the Court, at the time of the trial. Had it been known it would have been fatal to the case, and the prisoner could not have been convicted under the circumstances.

One of these circumstances was, that the prosecutor was an impostor, who prosecuted under a fictitious name; this, if known at the time, would have been fatal to the conviction.

Another circumstance was, that the money was proved to belong to the prisoner, and was in his possession before he was accused of stealing it.

This was the case of a man charged with robbery, tried, convicted, and sentenced to nine months imprisonment by Judge Oswald Thompson, August 24, 1855. This sentence was reconsidered at the Judge's residence, at the hour of midnight, on the 17th of November, in the same year.

This was done at the request of the Agent, who presented to the Judge eight affidavits from respectable citizens, who testified to the entire innocence of the prisoner, and proved that his prosecutor was an impostor and a swindler; that he prosecuted the case under a false name, to avoid detection in this great fraud to obtain the money, calling himself by a certain name, but it was afterwards proved satisfactorily that the name which he had given was not his proper name, and that he was known by another name in Pottsville, where he had lived and transacted business. It was also shown, and he himself admitted, that he had slept in a police station house in the upper part of the city on the night previous to the morning of the alleged robbery. His reason for doing this was, that he had no money. Notwithstanding this fact was known in our city, he went to the residence of the prisoner, who kept a hotel for the accommodation of travellers and emigrants in Water near Walnut street.

After drinking pretty freely at the bar, he asked permission to go to bed and have a sleep, as he said he had been travelling all night and was fatigued; his request was complied with. After he had been in bed about two hours he came down and took another drink at the bar. He then said that the prisoner had come up stairs, put his hand in his pocket and robbed him of \$170, in ten dollar gold pieces, and that he saw the prisoner do this. After stating this, he went to a police officer and informed him that the prisoner had robbed him of \$170 in gold. The prisoner was then arrested, taken to the Central Station at the Mayor's office and searched, his watch taken from him, and \$220 in gold were found upon his person. Of this money, \$170 were in ten dollar gold pieces, the balance was in gold coin, of a smaller denomination. In addition to this there were some bank notes, which made the whole amount \$242. All of this money was in a bag in his side pocket.

The prisoner got into the difficulty by spreading the contents of this bag upon his counter, at a time when he was looking for some small change to give to his prosecutor, who had been drinking at the bar.

During the short period in which the money was exposed in this way, the prosecutor made a quick count of the ten dollar gold pieces, which amounted in all to \$170, while the whole amount in gold was \$220. The prosecutor was in a destitute condition, being almost penniless, and having but enough to pay for a few drinks, he was tempted to put money in his pocket by saying the prisoner had robbed him of \$170 in gold. When the prisoner was searched, owing to his having this amount of money in ten dollar gold pieces in his possession, and its being precisely the kind which the prosecutor said he had lost, the presumption was, that he was guilty of stealing it. He was then bound over to await his trial. In the meantime he employed first class counsel, Frederick Carroll Brewster, Esq., the present Judge Brewster. This able lawyer thoroughly prepared himself to plead the prisoner's cause, and in a trial which lasted several days, did most ably defend him; but, notwithstanding the fact that all had been done that could well be done at the time, to show the innocence as well as the good character of the prisoner, he was convicted and sentenced by Judge Thompson to nine months imprisonment. After his conviction, a motion for a new trial was made, and upon the argument his counsel Mr. Brewster, produced several affidavits. One as to the prosecutor's poverty, and another as to the possession by the defendant, of gold coins before the supposed larceny. His counsel relied upon these, the undoubted good character of the defendant, and the improbability of the accusation, but all this to no purpose, a new trial was refused. After this had happened, the Judge instructed the Clerk of the Court to take \$170 in gold from the money bag of the prisoner, and hand it to the prosecutor, who said he had been robbed of it. The balance of the two hundred and forty-two dollars was then handed to the prisoner, and he was taken to jail to serve out his sentence. Before he was locked up he was stripped, and his body thoroughly examined, and all marks and scars found upon his person carefully noted and recorded, with a full description of his height, by measurement, together with the complexion and color of his eyes, his age and birth-place were also recorded, as well as other incidents connected with the case. His clothes were then taken from him and put away for safe keeping, and after having been clothed with prison garments, he was taken to a cell, where he remained nearly three days without eating anything of any account. The prison fare had been daily offered to him, but he had no appetite to eat and he could not sleep, as he was in a state of high nervous excitement. This had been occasioned by his unexpected conviction, and by the thoughts of his being taken away from a prosperous business, his wife and children, and from his peaceful home, together with the loss of character and the impending ruin of himself and his family that was in prospect. All this had caused him to give up in despair. He said he was innocent and he could not understand how it was that he should be convicted, and that his money should be taken from him and be handed to this prosecutor who had caused his ruin.

It was in this condition that the Agent saw him for the first time and pitied him, and begged of him to be composed and to partake of some nourishment, and live for the sake of his family. If he would only do this the Agent promised to make an extra effort to prove his innocence if such a thing could be done. He replied, "that was impossible, all that mortal man could do had already been done by his counsel, that he knew he himself should not live long, but, in his last dying moments he would pray for Mr. Brewster, who had so nobly and so eloquently defended him, and if *he* (Mr. Brewster) could not show his innocence, it was no use any one else trying." The Agent told him not to talk that way, for just as sure as he was a living man, if he was innocent, the Agent would show it, and have him released from prison. At this statement the prisoner took encouragement and partook of some nourishment.

When he had somewhat recovered, the Agent questioned him as to the history of his case, and asked him with whom he was in the habit of transacting business, from whom he purchased supplies for his hotel, and what he knew of his prosecutor. He said, "he knew nothing of him, that he had never seen him nor heard of

him before the day that he came into his house and accused him of robbing him." He also said that the prosecutor had stated that he came from Pottsville the night previous.

Upon this information the Agent went to work and inquired at Pottsville as to the character of the prosecutor, when it was shown by the affidavit of a resident of that place, and who was a member of the Bar, that the prosecutor was an impostor, and that his right name was altogether different from that by which he prosecuted the prisoner. It was also shown by other witnesses at Pottsville, that his character was bad; that he was in a penniless condition, and that in consequence of this he left Pottsville and came down upon a coal train to Philadelphia, and then went to the police station in Port Richmond, where he represented himself as poor and friendless and without money. Upon these statements he was received into the station house for the remainder of the night, and the next morning he was turned out with other paupers. He then went down to the hotel of the prisoner at an early hour of the morning and asked for something to drink, and stated that he had been travelling all night and wished to have a sleep. When the Agent had discovered this much in reference to this bad man, he *then* looked into the character of the prisoner. All who knew him spoke well of him, and said he was a remarkably honest man, that he always carried a bag of gold with him, and was in the habit of displaying it on occasions when he made his purchases, and that he paid cash for every thing he bought.

Two women testified on oath to seeing the prisoner with the money *previous* to his being accused of stealing it.

The Agent saw a man, a grocer, who testified on oath that "he knew the defendant to carry, generally, large sums of money about his person, that he knows the defendant is unacquainted with the quality of bank notes, for which reason he always prefers and insists upon taking gold in his dealings." And further deponent saith, "that on one occasion defendant having made a purchase at his store, he left on deponent's counter his purse, or a bag, which, on examination, deponent found to contain a large sum of money in gold."

In addition to this the grocer also said, that "when he examined the contents of this bag he made a memorandum, which he still had in his possession, and which showed that these \$170 in ten dollar gold pieces were in the bag when the prisoner, by accident, had left it upon his counter. On this occasion he had purchased a bill of groceries, among which were some lemons and loaf sugar, which he wanted for immediate use, for a customer who was then waiting in his bar-room. After he had laid his bag of gold down on the counter, he took up his lemons and loaf sugar, and left in haste to wait upon his customer. This haste was the cause of his leaving the money, which was afterwards seen, examined, and returned to him by the grocer. This happened just previous to his being accused of stealing the money, and at a time when the prosecutor had not yet left Pottsville.

The above, with five other affidavits had been procured, all of which tended to show the innocence of the prisoner. The Agent being fully satisfied as to his good character and innocence, immediately went to the residence of Judge Thompson, accompanied by a Prison Inspector, and presenting these affidavits to the Judge, asked him for a reconsideration of the sentence, telling him at the same time that he believed the prisoner was innocent. This request was at first refused by the Judge, as he said, "he felt fully satisfied of the prisoner's guilt, that the trial had been a protracted one, and had been managed with great care and skill on the part of Mr. Brewster, the prisoner's counsel, who had shown a zeal and an energy in the case that were worthy of a better cause; and as the ring of Mr. Brewster's eloquence was not yet out of his ears, and as he well remembered the testimony, and was fully satisfied of the prisoner's guilt, he positively refused to hear anything further in the case."

One reason why he said this, was, because it was a late hour of the night, and he had court documents before him, which he had to examine, and that must be attended to.

The Agent then said to the Judge, in a firm, respectful, and impressive manner, "that he could not leave without a full hearing of the case, but would prefer remaining where he then was, to urge the case until he should fall down in death."

This wise and good man's mind was such as to enable him to grasp at once and appreciate the good intentions of the Agent who was so persistent on this occasion in urging the claims of the prisoner. The Judge being astonished at this extraordinary effort on the part of the Agent, consented to set aside the urgent business before him and fully and thoroughly examine the Agent and hear what he had to say, and also examine the affidavits which tended to prove the innocence of the prisoner. This done, the Judge expressed himself to be fully satisfied of the prisoner's innocence, and commended the Agent for his perseverance. The Agent then asked him if he would reconsider the sentence and instruct the Clerk of the Court the next day to give a discharge for the prisoner. He said, "No,—I will reconsider it *at once, he must be discharged to-night, midnight as it is, I am unwilling that this innocent man shall remain in prison one moment longer than is absolutely necessary, and I am surprised that such a thing should have happened in a Court over which I presided, and where such great care had been taken in the management of the case.*" He immediately wrote out the reconsideration of the sentence, which was accompanied by a letter to the jailor, that asked for the prisoner's immediate release upon his, the Judge's, responsibility. He also promised to instruct the Clerk of the Court on the next day to send down a regular formal discharge containing the seal of the Court. This promise was carried out. Having obtained the consent of the jailor, the Agent saw that the prisoner was discharged about three o'clock in the morning, several hours previous to the regular discharges having been sent down.

The prisoner was really and truly thankful to the Agent for the searching investigation made of his case, which had redeemed his character and restored him to his family, and to society as an honest man.

All this was done without any cost whatever to the prisoner or any one else.

After the above case had been written out for the publication, it was sent to Judge Brewster for his examination and approval. The following reply has been received by the Agent :

GERMANTOWN, Monday Morning.

WM. J. MULLEN, ESQ., *Prison Agent.*

DEAR SIR :

Your statement of the above case was received on Saturday P. M. I have examined it with some care, and so far as my knowledge extends, it is a very correct narrative of this singular case. I, of course, know nothing of what passed at the prison or the Judge's house. I should add that your effort in behalf of this oppressed and injured man is worthy of all praise.

I am very respectfully and truly yours,
F. CARROLL BREWSTER.

RECONSIDERATION OF SENTENCE BY JUDGE ALLISON,

NUMBER 57.—In the cases of nine Germans who were tried and convicted upon the charge of assault and battery, and sentenced by Judge Allison, July 15, 1856, to pay a fine of one cent, to pay the costs of prosecution, and to undergo an imprisonment, two of them for nine months each, and the remaining seven for six months each.

These prisoners were accused of seriously injuring a Jew boy, about fourteen years of age, by sticking him with pins the whole length of his spinal column, and marking him in a similar manner across the shoulders, leaving upon his back a complete cross, which was filled up with India ink, similar to the manner in which sailors amuse themselves by marking different portions of their bodies.

The prosecutor in this case, the father of the boy, was an old Jew, and a pauper. Just previous to the commencement of the prosecution, he and his son had been inmates of the Alms-house: immediately upon leaving there, they went to a German boarding-house for the accommodation of emigrants. In this house were six Germans who had just arrived from Germany, and were consequently strangers to the

country, and could not speak English. They had in their possession considerable money, and were on their way to the West to purchase land, intending to settle there. During their temporary stay at this German boarding-house, the prosecutor, the Jew father, conceived the idea of extorting money from these friendless strangers, by accusing them of assault and battery on his son, seriously injuring him and destroying the vitality of the nervous system, by injuries inflicted on his spinal column, in the manner above described. He also accused the landlord and two others of assisting the Germans in committing this outrage upon his son; as a compensation for the injuries alleged to have been inflicted, he wanted each of these nine men to pay him a handsome sum of money, threatening them that if they did not pay the amount demanded, he would prosecute and imprison them. As the accused knew themselves to be innocent, never in any way or manner having injured the boy, they at once indignantly denied the charge and peremptorily refused to pay a single penny. In the hope, however, of frightening them and compelling them to comply with his demand, he brought suit against them, which he afterwards prosecuted to a conviction. This was accomplished by carrying the boy into court upon his back, and setting him down upon a table, as if the injuries were of such a serious nature as totally to deprive the boy of the use of his limbs. The boy acted his part so naturally and so well as to make a very favorable impression upon the Court and Jury, who pitied him in the apparently paralyzed condition; all who saw him believed that he had lost the use of his limbs, and that it was necessary to *carry* him into court to enable him to give his testimony against those whom his father accused of placing him in that pitiable condition. The prosecutor had so far succeeded in working upon the sympathy of a German Benevolent Society as to lead them to take an active interest in his case, and induced them to procure the services of one of our most distinguished lawyers to aid the District Attorney in prosecuting these innocent men; no means were left untried to procure their conviction, it being thought at the time that the injuries inflicted upon the boy were of so serious a character as to justify an extra effort to secure the conviction of the defendants, in order to deter others from committing such a gross outrage in the future. Upon the trial the father and son both testified that these men had committed the assault and battery upon the boy by holding him down and sticking pins into him, and in that way had so injured him as to deprive him of the use of his limbs; the father further testified that the prisoners told him (the prosecutor was a Jew), the Jews had crucified the Saviour and put him to death upon the cross, and as they were Christians, they wished to retaliate by crucifying a Jew, and they at once commenced their work of torture by making the cross upon his son's back; all this was afterwards proved to be false; this testimony, however, and the paralyzed condition of the boy, so excited the sympathy of all who witnessed it, and especially that of the jury, that they at once pronounced the prisoners guilty, without leaving the box. As the defendants were strangers, without counsel to defend them, and as they did not understand what was testified against them, their case was soon disposed of, and they were sentenced as above stated. After this, a collection was taken up in the court-room for the boy, among the members of the bar and others who sympathized with him, in his apparently helpless condition.

A short time after the prisoners had been sent to prison to serve out their sentence, the Agent procured an interpreter, and made himself fully acquainted with their case; he became very much interested in their behalf, particularly so, as the majority of them were friendless strangers, who had just arrived in our country. With these impressions he lost no time in making a thorough investigation of their case and made himself acquainted with the character of the prosecutor; to his very great surprise he discovered it was bad, that he was a pauper, that he and his son had just left the Almshouse, and that he (the prosecutor) had since been arrested in one of the lowest dens, in the lower part of the city, where he was engaged in making counterfeit coin, for which offence he was then in prison. Upon further inquiry a companion of his was seen, who confessed that he was present and witnessed the operation of sticking pins in the boy's back, at the time when it was done by the father of the boy, himself, and with the boy's consent, with the hope of extorting money from these defendants, and that the boy was not injured; the marks made with the pins

were only on the surface of the flesh, and that his nervous system was not affected or his health injured in any way. This man also stated where the boy could be seen. The Agent found him standing in a certain place in Chestnut street, actively engaged in selling cheap gloves from a basket that he had with him at the time; after conversing with him, and finding that he was in excellent health, and in no way injured, the Agent went to Judge Allison, and informed him of all the particulars in the case, and asked for a reconsideration of the sentence of these prisoners; the Judge consented to hear the evidence. After a patient hearing and careful examination of the boy and other witnesses, the sentences of these prisoners were reconsidered and they were at once released from prison, having been detained but for a short time during the investigation. Upon their release they immediately left for the West, in possession of their money. They expressed their thanks to the Agent and appeared truly grateful to him for his efforts in their behalf, which had led to the establishment of their innocence.

All of these prisoners were released through the interference of the Agent, without any expense to themselves or any one else.

AN EXTRAORDINARY CASE OF THE IMPRISONMENT OF AN INNOCENT MAN.

NUMBER 58.—The case is not of recent date. This man had been committed by the Mayor, upon the charge of burglary. When the prisoner was first arrested and brought before the Mayor for a hearing, the Agent, aided by eminent counsel, in the person of a young man who had just been admitted to the Bar, appeared in the prisoner's behalf.

The prosecutor of the accused testified, on oath, that the prisoner came to his house on a certain Sabbath evening and asked for something to eat, when he was kindly treated, invited in and a comfortable supper was provided for him, of which he partook. While the prisoner was there the prosecutor said he conversed with him freely, and learned from him that he was a chemist by profession and a friendless stranger in our city. While thus in conversation the prosecutor had a full opportunity of observing the stranger's countenance. He then testified that a few days after this occurrence his house had been entered at the dead hour of the night by burglars who had succeeded in getting into his house by sawing a round hole in the back kitchen door, sufficiently large to admit of a man's arm and enable him to push back the two bolts by which the kitchen door was secured, and in this way an entrance into the kitchen had been effected. He stated that the burglar had then proceeded and sawed a similar hole in the partition which separated the kitchen from the dining room. This hole was but a few inches from the floor, and on a line with, and within an arm's length of the lower bolt by which the dining room door was fastened; but this hole, like the one in the outside kitchen door, was at least twice the length of a man's arm from the other bolt on the same door, so that it was impossible for the burglar in both cases, to have reached the other bolts, which were bolted. There was but one hole cut, in each case, and that was cut at the extreme end from the other bolt; each door had two bolts and these bolts were four and a half feet apart.

The gentleman who was the proprietor of the house, and who was the prosecutor in this case, swore positively before the Mayor of the city of Philadelphia, that this man who partook of his hospitality on the pre-

vious Sabbath night, together with other burglars, had entered into his house in the manner above described and committed a burglary by robbing him of a considerable sum of money. That he saw him—fought with him—fired at him several times—and beat him over the head with a pistol. In proof of this the prosecutor presented a hat with clots of blood and hair adhering to it, and intermingling with cuts and slits in the hat. The prosecutor declared that this condition of the hat was caused by his striking the prisoner upon the head with the end of his pistol while engaged in his terrible conflict with these burglars. This hat, upon examination, indicated that it had been laid upon a flat surface and that the cuts and marks had been made with a knife, and that the pistol had been held in a perpendicular position while striking the hat, leaving the impression of the ends of the five barrels of the revolver upon it in several places. This could not possibly have been done while the man had the hat on his head as was stated by the prosecutor.

This hat and an old pair of boots were said to have been left upon the premises by the burglars at the time when they were shot at and fled from the premises in haste. The prosecutor swore positively that this was the same hat which the prisoner wore when he took supper at his house on the Sabbath evening. Upon this positive testimony of a respectable, wealthy citizen, the prisoner was finally committed, by the Mayor, to await his trial for the burglary. This examination had been conducted by the District Attorney in person.

The Agent and his counsel did what they could at the time, to show the prisoner's innocence, but with little success. This examination occupied a period of five hours.

The sympathy for the prosecutor, at the time, was so great as to cause hundreds of people to rush to the hearing of the case at the Mayor's office, in the hope of getting a sight at this, alleged, desperate burglar. This sympathy was increased from the fact that this prosecutor had really been robbed about four years previously by four burglars who had been convicted of entering his house by sawing two holes in each of the doors, which enabled them to effect an entrance. This transaction and the conviction of these men seem to have had so serious an effect upon the mind of the prosecutor as to have caused him to bring this grave charge against this innocent man.

As the Agent believed the prisoner was innocent, he, with the aid of counsel, went to work and thoroughly investigated the case. The first thing examined was the hat; the clots of bloody hair that were upon it were given to a first-class chemist who had devoted many years of his life to the study of hair and blood. He being an expert in this business, found no difficulty in discovering that neither the hair nor the blood were those of a human being, but of an animal. The blood was supposed to be that of a chicken, and the Agent discovered that a chicken had been killed in the cellar of the prosecutor's house, and some of the feathers were still there.

The next thing to which the Agent turned his attention was the old boots which were found upon the premises, and which, it was said, this

burgler had taken off his feet so as not to make a noise. The Agent ascertained that they were an old pair of mouldy boots that had not been worn for years, but had been recently bought at an old junk shop, in the neighborhood of the prosecutor.

The Agent was also prepared to prove an alibi, by seven persons, some one of whom saw the prisoner every hour of the night, from nine o'clock in the evening until seven the next morning, where he had been locked up with these persons in a room, by his landlady.

As it was a very cold night the lodgers, each in their turn, lent a hand in attending to the fire, in order to keep themselves warm. This circumstance afforded them an opportunity of seeing the prisoner at all hours of the night. When the room door was unlocked the next morning the prisoner perceived there was a deep snow upon the ground, which had fallen during the night. He then made an arrangement with his landlady, in which he agreed to pay her eight cents for the using of a shovel which was loaned him; with this he went out and procured a job to shovel snow off a pavement. For this service he received twenty-five cents, eight cents of which he paid for the use of the shovel, and the balance of the money he paid for his breakfast.

Had he, with others, committed this burglary and robbed this prosecutor of a large sum of money, he would not have been under the necessity of earning his breakfast in this manner.

When the Agent had discovered this much, he, accompanied by the young lawyer, went directly to the house of the prosecutor, and asked permission to examine the house in reference to the supposed burglary. As the Agent was favorably known to the prosecutor, the permission was cheerfully granted, and his good intentions seemed to be fully appreciated. In the Agent's examination of these premises, he discovered a very important circumstance, and that was that the sawing of the round holes had been from the inside, and not from the outside. The hole that was cut from the dining-room to the kitchen was but four inches from the floor, and the cut indicated that the saw by which the hole was made had slanted towards the floor of the kitchen, giving clear and satisfactory proof that the sawing could not have been from the kitchen side, as the four inches of space from the floor to the cut would not give sufficient room to use the saw in making such a hole as had been there made for the purpose, as was said, of pushing back the bolt of the door in order to effect an entrance to the dining-room.

Upon a still further examination, the Agent discovered that the shots which had been fired in the house by the prosecutor from the pistol to the wood-work into which the balls had entered, were so near as to leave the powder-mark from the flash of the pistol. This circumstance showed that the shooting was not at the burglars, as was alleged by the prosecutor.

When the Agent had ascertained all this, he sat down alongside of the prosecutor in his house, and informed him that he, the Agent, was fully satisfied that the prisoner was innocent of that which he had been accused, and that he, the Agent, was prepared to prove to the satisfac-

tion of the prosecutor, that no burglary had been committed in this case. The prosecutor consented to hear what the Agent had to say.

After a patient hearing he seemed to be convinced that the whole affair was a consequence of an illusion of the mind, and that he himself had been the principal actor. He then gave his consent to the release of the prisoner, and authorized the Agent to inform the Court that he had no desire to prosecute the case.

When the Mayor of the city, the District Attorney, and the Court were informed of the result of this investigation, they all cheerfully consented to the release of the prisoner. The Agent obtained his discharge from the Court, saw that he was released from prison and took charge of him, and assisted him in getting to Cincinnati, where he expected to get a situation as a chemist. He was a Scotchman by birth, of prepossessing appearance, an educated man, and was respectably connected; he had never been accused of committing any crime before this. He appeared truly thankful to the Agent for his friendly interference in his behalf, all of which had been accomplished without cost to him or any one else, while on the other hand the prosecutor expended large sums of money, in paying Detectives to proceed to Canada and other places, to endeavor to find some one who could connect this man with the supposed burglary.

Judge Allison, President Judge of the Court of Common Pleas, in addition to having shown mercy to the poor little boot-blacks, who have from time to time been brought before him, upon slight charges, consistent with his benevolent act of last year, again kindly and generously gave to them a substantial and luxurious dinner upon Christmas day; their high appreciation of this entertainment was strikingly evinced by the good behavior of the boys during the whole of the time occupied by the dinner. We give the following account of it as taken from the *Evening Bulletin*, at the time:

THE BOOTBLACKS' CHRISTMAS DINNER.—A Christmas dinner was given to the bootblacks, by Judge Allison, at Reinhard's Hotel, adjoining the Ledger Building. The dinner was presided over by William J. Mullen, Prison Agent, who opened the exercises of the occasion by giving a brief history of the origin and object in setting aside a day to commemorate the birth of Christ, the Saviour of the World. He also cited several marked instances for their encouragement, wherein boys had risen in our country from obscurity to the highest distinction, filling some of the most important offices in our government. Of those named, there were Grant, Colfax, Governor Geary, and others, who occupied so conspicuous positions in our State and Government. The boys were in-

formed by Mr. Mullen, that under our laws in this free and Christian country, a full opportunity is afforded to the poorest boy in the land to rise to the highest eminence, where he may, by sobriety, honesty, industry and virtue, obtain for himself the most profitable and honorable positions which are in the gift of the people.

These remarks were followed by Judge Allison, who then appeared, and wished the boys a happy Christmas, which brought forth a hearty response. After this the Judge addressed them in an appropriate, feeling and effective manner, that will not be soon forgotten by those who heard him. They were next addressed by that well-known veteran, of Sunday School notoriety, Abraham Martin, in a humorous and pleasing manner. Among the many things which he said, he gave an interesting description of an educated dog that would respond in a pleasing manner to all questions put to him by his owner; and if the instinct of a dog would enable him to be taught so much, what could not be accomplished by intelligent little boys, such as he saw before him, who had immortal minds that were susceptible of the highest culture, with the facilities of education which they had before them in our city and country; and it was for them to determine, by industry and perseverance, as to what they would be. Mr. Martin was followed by William D. Baker, Esq., who spoke to the boys in an impressive, brief and eloquent manner. His address was replete with instruction and good advice.

The next speaker was Mr. F. H. Toland, our city missionary, who addressed the boys in his usual happy style, which was interesting to all who heard him. He alluded to the fact that there was an effort being made by benevolent citizens to establish a Home for the boys.

At precisely half-past one o'clock the dinner was ready and on the table, when there were thirty boys comfortably seated, and after a blessing had been asked by Mr. Martin, they engaged with a will to partake of the sumptuous dinner which had been so carefully prepared for them. It consisted of roast turkey, roast beef, cold tongue, and other meats, together with an abundance of vegetables, consisting of celery, potatoes, hominy, cold-slaw, pickles, stewed onions, cranberries, and sauces of various kinds, ending with pies and pound-cake. The exercises were closed by a short prayer.

The whole time occupied, including speeches, was about one hour. The boys left well satisfied and pleased with the entertainment which had been given by their patron, Judge Allison. Their orderly conduct and good behavior was praiseworthy. Among the persons who were present and participated in these interesting exercises were William H. and William J. Horstman, Alderman Beitler, Detective Smith, Dr. W. M. Reynolds, and others.

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1869.

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George Taber,	Mahlon H. Dickinson,	William Hawkins,
James Peters,	Lewis R. Conard,	Isaac H. Shearman,
William Nicholson,	A. Jackson Ourt, M. D.	Augustus Thomas,
Samuel Townsend,	Rev. Charles F. Diver,	J. J. Woodward,
	William Vanderveer.	

Visiting Committee of the County Prison.

Joseph R. Chandler,	Benjamin H. Pitfield,	Thomas A. Robinson,
William S. Perot,	William Armstrong, M.D.,	John C. Farr,
William Duane,	Philip P. Randolph,	Joseph Kinike,
Charles Ellis,	J. Lukens, M. D.,	John O'Connor,
Thomas Latimer,	William J. Mullen,	Richard G. Stotesbury,
John M. Wetherill,	William R. MacAdam,	George W. Hall.

 WILLIAM J. MULLEN, is Agent for the County Prison, appointed by the Inspectors, and acting under their direction, and is also appointed by the Prison Society.